

# **THE COUNTERTERROR COALITIONS**

## **Cooperation with Pakistan and India**



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**C. Christine Fair**



**PROJECT AIR FORCE**

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## **Cooperation with Pakistan and India**

**C. Christine Fair**

Prepared for the United States Air Force

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## Preface

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Shortly after the September 11, 2001, attacks, Air Force Chief of Staff General John Jumper asked RAND Project AIR FORCE to conduct a study entitled “Thinking Strategically About Combating Terrorism.” This year-long project was divided into four research tasks, each tackling different but complementary aspects of the counterterrorism problem:

- Threat assessment: identifying the character and boundaries of the threat
- The international dimension: assessing the impact of coalition and other international actors on U.S. options
- Strategy: designing an overarching counterterror strategy
- Implications for the Air Force: identifying promising applications of air and space power.

This report is part of a series on international counterterror cooperation, building on the research of the second project task. Other reports in this series will examine the different functional areas of international cooperation against terrorism, counterterror cooperation with Russia and the states of the former Soviet Union, and counterterror cooperation with the countries of Europe. Although these reports address a wide variety of subjects, they build on a common principle: counterterror cooperation occurs across numerous issue areas, including military, financial, law enforcement, and intelligence. An effective counterterror strategy will need to address each of these



dimensions and account for some of the synergies and frictions among them.

This report details the findings of building counterterrorism coalitions with two important states in South Asia: Pakistan and India. The partnerships with both of these states have been critical to U.S. operations in Afghanistan and beyond, albeit for very different reasons. Specifically, this report examines the following:

- Pakistan's historic and present cooperation with the United States
- India's historic and present cooperation with the United States
- The potential of Kashmir to disrupt efforts to engage both India and Pakistan.

The final chapter of the report discusses the ways in which the U.S. counterterrorism objectives interact and interfere with other U.S. regional interests. It concludes with five policy options and the advantages and disadvantages inherent in each.

Publications to date from the project include:

- Nora Bensahel, *The Counterterror Coalitions: Cooperation with Europe, NATO, and the European Union*, MR-1746-AF
- David Ochmanek, *Military Operations Against Terrorist Groups Abroad: Implications for the United States Air Force*, MR-1738-AF.

The research reported here was sponsored by General John Jumper, Chief of Staff of the Air Force, and conducted within the Strategy and Doctrine Program. It was completed in October 2002. Concurrent RAND Project AIR FORCE research is examining the military-to-military aspects of U.S. relations with both Pakistan and India.

This report should be of interest to the national security community and those members of the general public concerned with South, Southwest, and Central Asia. Comments are welcome and

should be sent to the author or to the acting program director, Alan Vick.

### **RAND Project AIR FORCE**

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Additional information about PAF is available on our web site at <http://www.rand.org/paf>.

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## Summary

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This report examines U.S. strategic relations with India and Pakistan, both historically and in the current context of the global war on terrorism and Operation Enduring Freedom in Afghanistan. The study documents the very different motivations for and nature of these two states' contributions to the Global War on Terrorism. While Pakistan and India are both important for what they can contribute in a *positive* sense, each state also has the potential to seriously interfere with U.S. operations in Afghanistan, specifically, and in the war on terrorism more generally.

Pakistan's unwillingness to jettison its active role in supporting, training, guiding, and launching militant operations in Indian-held Kashmir and elsewhere (e.g., the Parliament attack in December 2001 and the Red Fort attack in December 2000) directly challenges U.S. interests in diminishing the capacity of terrorist organizations and degrading their force projection capabilities. Moreover, Pakistan's prosecution of low-intensity conflict within Indian-held Kashmir has exacerbated New Delhi's vexation with Islamabad. This has compelled India to find new "strategic space" wherein New Delhi can punish Pakistan for its support of civilian militants and compel it to abandon this policy—while keeping the conflict well below the nuclear threshold.

India could do more to lessen Pakistan's threat perceptions, but it apparently does not believe that addressing Pakistan's equities would facilitate a significant degree of normalization of relations. India has much to contribute to the war on terrorism by providing

intelligence, naval escorts of high-value vessels through the Strait of Malacca, as well as by providing diplomatic and political support. Equally important, India can contribute to U.S. efforts by not militarily challenging Pakistan while Pakistani forces are needed for operations on the eastern border with Afghanistan.

One of the inescapable conclusions drawn from this work is that the intractable dispute over the disposition of Kashmir is and will remain a critical flashpoint between these two states and poses continual security challenges for the United States and the international community. There is little reason to be optimistic that this issue will be resolved any time soon. In the absence of effective intervention, Kashmir will persist as a recurrent source of intense conflict. Both states will consistently depend upon the United States and others to acquire exit strategies from an escalating conflict, to compel the adversary to make concessions, and to find support for the political and diplomatic position of the state in question. The ongoing dispute over Kashmir frustrates and complicates the efforts of the United States to pursue relations with both states independent of each other.

The December 2001 attack on the Indian Parliament stemmed from the dispute in Kashmir and precipitated the largest Indian military mobilization of forces since the 1971 war. The confrontation persisted on the Indo-Pakistan border for most of 2002 and served as a staunch reminder that the war on terrorism does not mitigate or ameliorate other salient U.S. regional interests (e.g., missile and nuclear nonproliferation, nuclear non-use, and diminishing the prospect of Indo-Pakistan conflict). Rather, the gravity of these ongoing concerns became more apparent during this prolonged period of force aggregation.

The significance of the Kashmir dispute and its consequences for regional stability suggests that some sort of intervention may be salubrious for all. To this end, this monograph presents a number of policy options on how the United States can proceed in crafting policies toward India, Pakistan, and the persistent security competition over Kashmir. Specifically, this report proffers five different options:



- Maintain the status quo of pursuing relations with both countries and playing the role of crisis manager on an as-needed basis.
- Take an active role in resolving the dispute, acknowledging that in the near term neither state will likely be satisfied with this approach and that the assertion of U.S. and other national equities in this dispute may complicate near-term engagement with both states.
- Effectively signal that the United States will not intervene in resolving any dispute that may arise between the two actors. This would essentially deprive the two of a convenient exit strategy and encourage a different path to escalation and de-escalation.
- Explicitly side with India, acknowledging that in the long term, India's interests and futures are more consonant with those of the United States and that Pakistan is likely to continue to fester as a source of internal and regional insecurity. This approach would seek to "contain" Pakistan while expanding the strategic relationship that is developing with India.
- Align with Pakistan's position on the Kashmir issue and other security concerns pertaining to India. This alternative approach assumes that over time India and the United States, as "natural allies," would evolve as is inherently in the interest of both Washington and New Delhi. This option requires dedicated attention to rehabilitate Pakistan and to endow it with security required to discourage it from misadventures. It also demands fortifying Pakistan's civilian institutions, rehabilitating its macroeconomic outlook, and investing in its stock of human capital. Provision of security guarantees are also likely to be needed to alleviate Islamabad's multifaceted threat perception vis-à-vis its large neighbor to the east and uncertainty with the political future of its unsettled neighbor to the west.

Each of these five options is discussed in the final chapter along with an exposition of the various costs and benefits of each option in terms of U.S. pursuit of counterterrorism coalitions as well as the other U.S. regional objectives. (See pp. 103–115.) We recognize that

these are extreme options, and that, in reality, the most practical approach will likely draw elements from several of these varied proposals.

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## Acknowledgments

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The author is greatly indebted to those officials within U.S., Indian, and Pakistani private and public institutions who shared their insights and experiences with her during her fieldwork. The research could not have been conducted without the help of these individuals, who were generous with their time and who took great interest in this project. The author also gratefully acknowledges her RAND colleagues, such as Ted Harshberger, David Shlapak, and the project leader, Nora Bensahel, for their extremely helpful comments on earlier drafts of this document. The author also thanks Pete Lavoy of the Naval Postgraduate School for his thorough and thoughtful review. The author alone is responsible for any errors, misjudgments, mischaracterizations, or other inaccuracies that may persist in this report despite the best efforts of the above persons.

## Acronyms

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1984 MOU	1984 Memorandum of Understanding on Sensitive Technologies, Commodities, and Information
ABM	Anti-Ballistic Missile
CBI	Central Bureau of Intelligence
CENTCOM	Central Command
CENTO	Central Treaty Organization
DCG	Defence Consultative Group
DPG	Defence Policy Group
ESG	Executive Steering Group
FMS	Foreign Military Sales
FOB	Forward Operating Base
GCTF	Global Counterterrorism Force
GOI	Government of India
GOP	Government of Pakistan
HDW	Howaldtswerke
HUMINT	Human Intelligence
IB	Intelligence Bureau (of India)

ICPO- INTERPOL	International Criminal Police Organization
IMET	International Military Education and Training
ISAF	International Security Assistance Force
ISB	Intermediate Staging Base
ISI	Interservice Intelligence Directorate
JTG	Joint Technical Group
LNO	Liaison Officer
LOC	Line of Control (Kashmir)
MEA	Ministry of External Affairs (India)
MQM	Muttahida (formerly Muhajir) Quami Movement
MTCR	Missile Technology Control Regime
NCB	National Central Bureau (of Pakistan)
OEF	Operating Enduring Freedom (Afghanistan)
OPIC	Overseas Private Investment Company
PKO	Peacekeeping Operation
PNE	Peaceful Nuclear Explosion
POL	Petroleum, Oil, and Lubricants
POTO	Prevention of Terrorism Ordinance
RAW	Research and Analysis Wing (of India)
SEATO	South East Asia Treaty Organization
STI	Science and Technology Initiative
TF 58	Task Force 58 (USMC)
UNDP	United Nations Development Programme

UNGA	United Nations General Assembly
UNSC	United Nations Security Council
USG	United States government
WMD	Weapons of Mass Destruction



## Introduction

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Pakistan and India are both important states in the global coalition against terrorism, albeit for varying reasons and in different capacities. Pakistan has been a critical ally in the U.S.-led operations in Afghanistan, providing the United States access to bases, ports, and air space. Pakistan also permitted the United States to use Special Forces and agents of the Federal Bureau of Investigation to track down al Qaeda and Taliban fugitives both within Pakistan's tribal border area and elsewhere within Pakistani territory. Even though there is broad consensus in the U.S. government that Pakistan's support has been crucial, the future ability of Pakistan to contribute positively to the war on terror is an open question and is contingent upon a number of domestic and external factors as well as its fundamentally different threat perception of terrorism from that of the United States.

Conversely, American officials describe India as an important *informal* ally in the global antiterror efforts. India is so described by American analysts because it is not formally part of the global war on terrorism but has been a key indirect supporter of the effort.<sup>1</sup> Thus, while India is popularly regarded as a coalition partner in the war on terrorism within Washington, New Delhi does not see itself in this way. Indian (and some American) government representatives stress that India has neither been asked to participate in the global coalition

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<sup>1</sup> For details about the countries that are formally participating, see <http://www.centcom.mil/operations/Coalition/joint.htm> (last accessed September 7, 2003).



nor has it deliberately contributed to it. India prefers to see counterterrorism as in its core strategic interest and a major source of strategic consonance with the United States. For example, while the United States may view the escort of high-value vessels by the Indian Navy through the Strait of Malacca as direct assistance to the war on terrorism, India sees it as a military-to-military engagement that coincides with its vision of Indo-U.S. strategic relations, of which counterterrorism is a key component.

New Delhi's self-characterization does not discount or even deny India's important contribution to the war on terrorism. But New Delhi is quick to point out that many of the instruments and initiatives through which India has contributed in fact predate the attacks of September 11 and the war on terrorism, even though these initiatives were galvanized by the tragic events.<sup>2</sup> Thus, Indian and some U.S. government officials emphasize that rather than understanding India as a partner in Operation Enduring Freedom (OEF) or in the war on terrorism, India is more accurately characterized as a diffuse supporter of a globalized fight against terrorism which it undertakes out of its own strategic self-interest. The argument advanced here is that this difference in characterization is not *functional* but rather *perceptual*, and that it is as important to note how New Delhi sees itself as it is to note how Washington views New Delhi. Despite these differences, India's contribution to the fight against terror has become a significant dimension of bilateral engagement with the United States in part because both states claim to share a similar threat perception.<sup>3</sup>

Apart from its *positive* contributions to U.S. antiterror efforts, India demonstrated in 2002 that it is also important because of its ability to substantially *disrupt* U.S. operations in Afghanistan. For 10 months in 2002, India employed a massive buildup of troops along

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<sup>2</sup> Based on conversations in the Indian Ministry of External Affairs, the Indian Integrated Defense Staff, September 2002; with the Joint Staff, Strategic Plans and Policy, J-5, South Asia Branch, July 2002; PACOM J-5, February and April 2002; and U.S. Department of State, Office of Analysis for South Asia, July 2002.

<sup>3</sup> Ibid.

the Pakistani border as a part of its coercive diplomacy to punish Pakistan for the assault on the Indian Parliament perpetrated by Pakistani-backed militants. Moreover, India's position against Pakistan is continuing to harden because Islamabad still clings tenaciously to its strategy of proxy war in Indian-held Kashmir. This, as will be discussed, is a potentially serious area of disagreement between the United States and India and between the United States and Pakistan.

## **Narratives of Engagement and Implications for This Report**

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There are at least two ways in which this report could be organized and each would suggest a particular narrative about U.S. efforts to engage India and Pakistan. One way to structure the study is by functional area of participation (e.g., diplomatic, political, and military support) within which each state's contributions could be detailed. Such an organization might suggest a coherent U.S. strategy of engagement with the two countries and intimate that policies between the two are inherently intertwined. It also implies that there is a comparable structure to U.S. engagement with the two states so that they could be described under the same rubrics. It is the view of the author that this is not the case. The niche contributions of India and Pakistan are in truth quite different. Pakistan's support has been most strong in terms of access (basing, sea and air access), intelligence support, logistics, and the like. India has not contributed militarily but has been an important strategic and diplomatic partner.

An alternative structure takes the state in question (e.g., Pakistan or India) as the organizing logic to explicate the contributions of each state. This structure is preferred here because it is the most consonant with a narrative of engagement that all three states have been striving to create. Specifically, for the past several years, the United States has tried to forge relations with these two states that are independent of each other in an effort to overcome the perception in New Delhi and Islamabad that relations with both states are inherently a zero-sum game. Both India and Pakistan, with differing intensity and insis-

tence, have vocalized their demands that the United States establish relations with each country on terms that are in accordance with the power, significance, capacity, and capabilities of each state and independent of the other. For example, both India and Pakistan have opined that if a U.S. official visits one country in the dyad, he or she also visits the other perfunctorily. Similarly, when Washington considers a particular engagement, military exercise, or foreign military sales to either India or Pakistan, Washington first evaluates how the other state will respond. This has become known in Washington, New Delhi, and Islamabad as the “hyphen” in U.S. relations with both states.

While all three states opine that a completely “de-hyphenated” relationship is optimal, both India and Pakistan episodically re-insert this hyphen when it is convenient or in their interests to do so. India hopes, for example, that Washington will approve the Israeli sale of the Arrow theater missile defense system to India, but New Delhi wants to ensure that Washington does not provide meaningful military assistance to Islamabad. Similarly, while Pakistan seeks a new fleet of F-16s, it opposes any weapons sales to India that would advance New Delhi’s military capabilities against Pakistan.

This tendency of India and Pakistan to assert self-interest over the stated objectives of de-hyphenating relations with Washington stems from the single most significant impediment to truly de-hyphenating the relationships with these states: the ongoing security competition over the disposition of Kashmir. Within the chosen structure of this report, the issue of Kashmir (a.k.a. “the hyphen”) is set apart as a separate chapter within which the particular challenges of that state are detailed.

## **Preview of the Arguments**

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As suggested above, this report is structured around India and Pakistan and the particular challenge of Kashmir. Chapter Two details the cooperative arrangements with Pakistan. Chapter Three addresses India’s contribution. Both of these chapters describe the broad contours

of the bilateral relationships with both states and the differences and similarities in their perception of the threat posed by terrorism. Each chapter delineates both countries' contributions to the war on terrorism, detailing their respective strengths and weaknesses. The chapters exposit the expectations of both states from their respective bilateral relationship with the United States and their cooperation in the global war on terror. Chapter Four deals specifically with the so-called hyphen in the U.S. bilateral relations with both states: the contentious issue of Kashmir. The three chapters make the following arguments.

#### **Pakistan: An Uncertain Partner in the Fight Against Terrorism**

- In the aftermath of the terrorist attacks of September 11, 2001, Pakistan seized the opportunity to cooperate with the United States against the Taliban and al Qaeda for a number of reasons:
  - Pakistan sought an excuse to throw off its ties to the Taliban and tackle its own immense internal security quagmire.
  - Islamabad wanted to protect its strategic assets and find some means to resolve the Kashmir issue with reference to Pakistan's equities in the dispute.
  - It sought to preempt a U.S. drift toward India as the preferred partner in South Asia.
  - It wanted to avoid becoming a target within the war on terrorism.
- In the long term, it is unclear how reliable Islamabad will prove to be as a partner in U.S. counterterrorism efforts for at least two reasons:
  - Pakistan's perceptions of its core security problems revolve around India and, especially, Kashmir. This is a

serious point of divergence for Washington and Islamabad.

- Pakistan's fundamental stability and development (social, economic, and political) as well as the mixed attitudes of its populace toward the United States raise serious questions about its ability to meaningfully support U.S. counterterrorism policy over the long haul.

#### **India: Long-Term Partner in Counterterrorism**

- India's role in the war on terrorism has been somewhat muted because Pakistan's support was critical to the U.S. campaign in Afghanistan. This situation has suited both sides fairly well in that India markets its participation as evidence of its enduring strategic value to and partnership with the United States. The United States benefits in that Indian support of U.S. regional and global objectives diminishes criticisms of U.S. hegemony owing to India's status among Asian and African states.
- In the longer term, India may have substantially more value as a counterterrorism partner than does Pakistan, for reasons that are essentially the converse of Islamabad's weaknesses cited above:
  - India's security perspectives are much broader than worries about Pakistan, and an energized strategic relationship with the United States is seen as very valuable—indeed, essential—to New Delhi's achieving its “great power” objectives.
  - India and the United States are both stable democracies sharing broadly similar worldviews, including the belief that instability and transnational threats represent major threats to their security.

### **Kashmir: The Impediment to U.S. Bilateral Relations with India and Pakistan**

- Kashmir is and will remain a key impediment to U.S. efforts to attain independent bilateral relations with both states.
  - During Operation Enduring Freedom, India's massive military buildup along the Pakistani border impinged upon American military objectives in Afghanistan.
  - Pakistan's continued support of militancy and sustaining a permissive environment for militant training is counter to Washington's own long-term objective to minimize the ability of terrorist groups to project power.

Chapter Five concludes with five policy options that the United States may pursue in crafting policies toward the two rival states, all in the context of the ongoing security competition over Kashmir. The options are:

- Maintain the status quo of pursuing relations with both countries and play the role of crisis manager on an as-needed basis.
- Take an active role in resolving the dispute, acknowledging that in the near term neither state will likely be satisfied with this approach and that the assertion of U.S. and other national equities in this dispute may complicate near-term engagement with both states.
- Effectively signal that the United States will not intervene in resolving any dispute that may arise between the two actors. This would essentially deprive the two of a convenient exit strategy and encourage a different path to escalation and de-escalation.
- Explicitly side with India, acknowledging that in the long term, India's interests and futures are more consonant with those of the United States and that Pakistan is likely to continue to fester as a source of internal and regional insecurity.

This approach would seek to “contain” Pakistan while expanding the strategic relationship that is developing with India.

- Align the United States with Pakistan’s position on the Kashmir issue and other security concerns pertaining to India. This alternative approach assumes that over time India and the United States, as “natural allies,” would evolve as this is inherently in the interest of both Washington and New Delhi. This option requires dedicated attention to rehabilitate Pakistan and to endow it with security required to discourage it from misadventures. It also demands fortifying Pakistan’s civilian institutions, rehabilitating its macroeconomic outlook, and investing in its stock of human capital. Provision of security guarantees are also likely to be needed to alleviate Islamabad’s multifaceted threat perception vis-à-vis its large neighbor to the east and uncertainty with the political future of its unsettled neighbor to the west.

Each of these five options is discussed in the final chapter, along with an account of the various costs and benefits of each option in terms of U.S. pursuit of counterterrorism coalitions, as well as the other U.S. regional objectives. We recognize that these are extreme options, and that, in reality, the most practical approach will likely draw elements from several of these varied proposals.

## **Pakistan: An Uncertain Partner in the Fight Against Terrorism**

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The U.S.-Pakistan relationship has not been as stable and robust as is often depicted. The historical overview of the relationship will identify some of the key concerns and challenges that are likely to reemerge in this new era of engagement. One long-term driver of the stability of the U.S.-Pakistan relationship in this chapter will likely be the degree to which U.S. and Pakistani threat assessments overlap or diverge. This issue is discussed in the second section of this chapter. Some of the important differences include the definition of terrorism itself; the threats emanating from Iran, Iraq, Afghanistan, and India; and Pakistan's own use of proxy warfare in the disputed territory of Kashmir.

Despite numerous differences and historical concerns about previous engagements with the United States, Pakistan has contributed substantially to the U.S.-led global war on terrorism. Islamabad's contributions to this effort are detailed in the third section of this chapter. Clearly, Islamabad has some comparative advantages where its contributions to the global war on terrorism are perhaps unrivaled by others (e.g., human intelligence [HUMINT], access to Afghanistan). However, Pakistan also confronts a number of challenges to its ongoing participation, such as growing domestic discontent with pro-U.S. policies. The fourth section weighs Pakistan's relative strengths and weaknesses and how they may affect Pakistan's ability to continue to contribute to the war. Pakistan believes that its contributions to the counterterror effort have been substantial and has a number of expectations in return, which are detailed in the fifth section. This



chapter concludes with a summary of the arguments and findings presented.

### Historical Overview of Pakistan-U.S. Relations

Despite more than a decade of acrimonious estrangement from the United States and deep anti-American popular sentiment, Pakistan “elected” to participate in the war on terrorism immediately after the attacks of September 11, 2001.<sup>1</sup> Despite the laudatory coverage of President Pervez Musharraf’s heroic decision, he had in fact little choice but to cast Pakistan’s lot with the United States.

The U.S.-Pakistan security relationship began when both states negotiated a mutual defense assistance agreement in 1954. By late 1955, Pakistan furthered its alignment with the West by joining the South East Asia Treaty Organization (SEATO) and the Baghdad Pact, which later became the Central Treaty Organization (CENTO). Whereas the United States pursued relations with Pakistan because of U.S. preoccupation with Soviet expansion, Pakistan was motivated more acutely by its desire to counter India’s growing military and political influence. By the late 1950s, Washington and Karachi were intensely aware of these divergent threat perceptions but chose to downplay the emerging rift.<sup>2</sup> The relationship waxed and waned through the 1960s and 1970s, but resumed its high-profile importance from 1979 to 1989 when the Soviets invaded Afghanistan.

<sup>1</sup> For a more detailed account of the historical nature of U.S.-Pakistan ties generally and with regard to the Global War on Terrorism and Operation Enduring Freedom, see C. Christine Fair, “Pakistan-U.S. Security Cooperation: A New Beginning?” in James Mulvenon and Michael Lostumbo (eds.), *The United States Air Force and Security Cooperation in Asia*, Santa Monica, Calif.: RAND Corporation, forthcoming. Also see Dennis Kux, *Disenchanted Allies: The United States and Pakistan 1947–2000*, Washington, D.C.: Woodrow Wilson Press, 2001; Peter R. Blood, *Pakistan-U.S. Relations*, Washington, D.C.: Congressional Research Service, February 12, 2002; The Gallup Poll, *The 2002 Gallup Poll of the Islamic World: The Gallup Poll Tuesday Briefing, Executive Report*, New Jersey: Gallup, 2002.

<sup>2</sup> Kux, 2001; Blood, 2002.

During the 1980s, the U.S. government began to suspect that Pakistan was pursuing a nuclear weapons capability with alacrity. In response to growing concerns, the U.S. Congress passed the Pressler Amendment, which required the U.S. President to annually certify that Pakistan did not possess a nuclear device. The amendment was passed to permit U.S. aid to Pakistan to continue throughout the 1980s despite concerns about Pakistan's nuclear weapons development program. In 1990, the U.S. government concluded that Pakistan had crossed key thresholds in the development of its nuclear weapons program. Consequently, President Bush declined to certify Pakistan and aid cutoff followed.

Throughout the 1990s, Pakistan's nuclear policies and decisions elicited opprobrium from the United States with numerous sanctions as a result. In 1998, Pakistan conducted a series of nuclear tests, which resulted in the invocation of the Glenn-Symington Amendment sanctions.<sup>3</sup> In 1999, General Pervez Musharraf overthrew the democratically elected Nawaz Sharif, after which sanctions under Section 508 were applied.<sup>4</sup> In addition, specific entities in Pakistan have been sanctioned under the Missile Technology Control Regime (MTCR) for proscribed acquisition of missile technology from China. On March 24, 2003, the United States imposed a new set of sanctions on Pakistan's Khan Research Laboratories for a "specific missile-related transfer" from North Korea's Changgwang Sinyong

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<sup>3</sup> The Symington Amendment prohibits most forms of U.S. assistance to countries that are found to be trafficking in nuclear enrichment equipment or technology outside of international safeguards. The Glenn Amendment prohibits U.S. foreign assistance to non-nuclear-weapon states. The nuclear Non-Proliferation Treaty defines the legal status of "nuclear-weapon state." For more information about these sanctions, see Robert Hathaway, "Confrontation and Retreat: The U.S. Congress and the South Asian Nuclear Tests," *Arms Control Today*, January/February 2000. Available at [http://www.armscontrol.org/act/2000\\_01-02/rhchart.asp](http://www.armscontrol.org/act/2000_01-02/rhchart.asp) (last accessed October 11, 2003); Barbara LePoer et al., *India-Pakistan Nuclear Tests and U.S. Response*, CRS Report 98-570, updated November 24, 1998; and Jeanne Grimmett, *Nuclear Sanctions: Section 102(b) of the Arms Export Control Act and Its Application to India and Pakistan*, CRS Report #98-486, updated September 19, 2001.

<sup>4</sup> Under Section 508 of the 1999 Foreign Operations Appropriations Act, no U.S. assistance may be given to any country "whose duly elected head of government is deposed by military coup or decree." See U.S. Department of State, "Sanctions on India and Pakistan," December 28, 2001.

Corporation. Sanctions were simultaneously imposed upon the Korean organization.<sup>5</sup> The United States also episodically threatened to label Pakistan a state that supports terrorism.

As a consequence of these sanctions, security cooperation between the United States and Pakistan was minimal. Although the Glenn Amendment did not technically require the termination of the International Military Education and Training (IMET)<sup>6</sup> program for Pakistan, the program was largely unavailable to Pakistan after 1990. The suspension of the IMET program and other training opportunities and exchanges resulted in a much-diminished mutual understanding among low- and mid-level military officers of *both* countries. Pakistani mid- and low-level officers are no longer “westward looking” as a result of the cessation of such programs, and the U.S. military lost the opportunity to appreciate and understand the ethos, capabilities, orientation, and competence of the Pakistani military. Fortunately for OEF and the war on terrorism, the senior leadership of both the militaries likely had maintained fairly robust ties dating back to the period of the Soviet invasion of Afghanistan when security cooperation had been strong.<sup>7</sup>

A few opportunities for both militaries to be in contact were occasioned by the various UN-sponsored and U.S.-led peacekeeping operations (PKOs). Pakistan has been an enthusiastic and effective participant in a number of such operations. These PKOs afforded Pakistan opportunities to obtain a modicum of military-to-military

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<sup>5</sup> See U.S. Department of State, “North Korea–Pakistan: Missile-Related Sanctions and Executive Order 12938 Penalties,” April 1, 2003. See also “U.S. Explains Sanctions,” *BBC News online*, April 3, 2003.

<sup>6</sup> The IMET program provides funding for training and education for foreign military personnel and a few civilian personnel. IMET grants are given to foreign governments, which selects the courses their personnel will attend. See “IMET: International Military and Education Training Program.” Available at <http://www.ciponline.org/facts/imet.htm> (last accessed October 7, 2002).

<sup>7</sup> This assessment draws from interviews with various Pakistani officers; analysts at the U.S. Department of State; at the Joint Staff, Strategic Plans and Policy, J-5, South Asia Branch; and at DIO-MESA. It also draws from the work of Stephen Cohen, February 12, 2002; May 2001; and January 2000.

contact with the United States at a time when more usual avenues of interaction were blocked by layers of sanctions. In addition, Pakistan was able to procure limited spare parts to support these operations. For example, on August 13, 2001, President Bush granted a one-time waiver of sanctions that permitted the spare parts sales for Pakistan's Cobra helicopters and armored personnel carriers as well as ammunition to support Pakistan's contribution to peacekeeping activities in Sierra Leone.<sup>8</sup>

To compound Pakistan's sense of isolation from and disenchantment with the United States, Washington had begun pursuing an "India first" policy, which became apparent in 2000 when President Clinton visited India for five days. In stark contrast, President Clinton's onward visit to Pakistan from India lasted only five hours. This new U.S. tilt toward India is widely attributed to Pakistan's seizure of several peaks on the Indian side of the line of control (LOC) (in the Kargil-Dras sector) in the summer of 1999.<sup>9</sup> To further exacerbate Pakistan's humiliation with the Clinton sojourn, President Clinton publicly refused to shake General Musharraf's hand to protest his ousting of Prime Minister Sharif. President Clinton also took the opportunity to opine about the importance of expeditiously returning Pakistan to democracy. The current Bush administration has continued this policy approach toward India.

Another strain on U.S.-Pakistan bilateral relations is that the Pakistani populace harbors deep anti-American sentiment.<sup>10</sup> Some of the reasons for this antipathy toward the United States are attributed

<sup>8</sup> "Arms Control Today News Briefs," at the website of Arms Control Association, September 2001. Available at [http://www.armscontrol.org/act/2001\\_09/briefssept01.asp](http://www.armscontrol.org/act/2001_09/briefssept01.asp). See also Fair, "Pakistan-U.S. Security Cooperation: A New Beginning?" in Mulvenon and Lostumbo (eds.).

<sup>9</sup> See Ashley Tellis, C. Christine Fair, and Jamison Jo Medby, *Limited Conflicts Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis*, Santa Monica, Calif.: RAND Corporation, MR-1450-USCA, 2001.

<sup>10</sup> The Gallup Poll, 2002; United States Department of State, "In Pakistan, Musharraf Has Broad Public Support; Most Back His Anti-Extremist Reforms But Public Still Widely Dissatisfied with Nation's Direction," *Opinion Analysis*, Washington, D.C.: Office of Research, May 17, 2002a; "Musharraf's New Pakistan: What the People Think," *The Herald*, February 2002, pp. 44-77.

to the U.S. support of Israel and the failure to press for a secure and independent Palestinian state, the American response to Indo-Pakistan wars of 1965 and 1971,<sup>11</sup> and the U.S. abandonment of the region once the Soviet Union withdrew from Afghanistan in 1989. Pakistanis also believe that the Pressler Amendment was invoked only when Pakistan ceased being useful to Washington. (Even auto rickshaw drivers have heard of the amendment.) More recently, in 1999 the American position on the Pakistani incursion at Kargil was in no way supportive of Pakistan and indicated a preference for the Indian position that the "sanctity of the line of control" must be restored and respected.<sup>12</sup> The most recent precipitants of distrust of U.S. intentions arise from the U.S. efforts to cultivate India as a robust strategic partner.

Despite the considerable distrust of the United States and its commitment to Pakistan and to the region, President Musharraf on September 13, 2001, announced that he would take a "principled stand" by joining the U.S.-led counterterrorism coalition. President Musharraf reiterated Pakistan's cooperation in this coalition to the Pakistani polity in a public address on October 19, 2001, at which time he explained that Pakistan would provide intelligence, permit the use of Pakistani air space, and supply logistical support to the U.S. forces.<sup>13</sup> Out of concern for broad-based anti-U.S. sentiment within Pakistan, the government of Pakistan (GOP) preferred that U.S. operations both based within Pakistan and staged from Pakistan maintain a small footprint.<sup>14</sup>

Pakistan's cooperation in Operation Enduring Freedom took solid shape on September 24, 2001, when a combined task force from the U.S. Departments of State and Defense negotiated with the

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<sup>11</sup> Pakistanis generally believe that the United States was obliged to come to Pakistan's defense during these wars. The Pakistani interpretation of U.S. obligations is discussed at length in Kux, 2001.

<sup>12</sup> Tellis, Fair, and Medby, 2001.

<sup>13</sup> Address by the President of Pakistan, General Pervez Musharraf, to the Nation, September 19, 2001, Islamabad. Available at [http://www.forisb.org/CE01\\_06.html](http://www.forisb.org/CE01_06.html).

<sup>14</sup> This brief was provided by U.S. Central Command in April 2002.

GOP a broad set of agreements. While the United States was still trying to bargain for access with other countries bordering Afghanistan, Pakistan provided what Ambassador Chamberlain called “un-stinting support,” which included blanket flyover and landing rights, access to naval and air bases, and critical petroleum, oil, and lubricants (POL) support. Pakistan also supplied logistical support and access to Pakistan’s ports to deliver supplies to troops operating in landlocked Afghanistan. All of this material support was provided *without any of the formal agreements or user fees that are normally required for such privileges*.<sup>15</sup>

In addition to vast differences that had developed between Pakistan and the United States since 1989, the U.S.-imposed sanctions constrained the ability to rapidly include Pakistan as a partner in Operation Enduring Freedom. Consequently, elements of the sanctions had to be waived or relieved to enable Pakistan to be a full partner in the war on terrorism. By September 22, 2001, the U.S. government issued a list of sanctions that were to be waived.<sup>16</sup> Thus, one of the tremendous boons to Pakistan was relief from the Glenn-Symington Amendment sanctions *and* Section 508 sanction regimes (the entity-specific MTCR sanctions are still in place). Nonetheless, there were procedures that had to be established to bring Pakistan into the operational fold. For example, there were no agreements on the ground to provide the U.S. military access to Pakistan, and an expedited means of providing Pakistan with critical spare parts had to be devised.

While the various layers of sanctions on Pakistan retarded the speed with which Pakistan could become a fully operational partner, this process was accelerated by a multiagency review of the sanctions on Pakistan and India that had begun during the summer of 2001. The administration initiated this review to evaluate the utility of the sanctions. The review ultimately decided that the Glenn-Symington

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<sup>15</sup> Ibid.

<sup>16</sup> U.S. Department of State, *Fact Sheet: Sanctions on India and Pakistan*, September 28, 2001.

sanctions applied to India would be removed. There was considerable dissent as to the fate of the Glenn-Symington sanctions on Pakistan. Opponents of lifting the test-specific sanctions argued that sanction relief should be offered as a "carrot" to Pakistan. Proponents of lifting the sanctions countered that such a policy would be inherently unfair because it was India that initiated the 1998 round of nuclear tests. Much of this debate was irrelevant: Simply removing the Glenn-Symington sanctions without also providing relief from the Section 508 sanction would have only infinitesimal impact.<sup>17</sup> By the summer's end, the administration had decided that the Glenn-Symington sanctions would be lifted on both India and Pakistan; only the timing remained to be determined. The sanctions against Pakistan resulting from Section 508 and the Missile Technology Control Regime would remain intact.<sup>18</sup>

This policy review set into play an important bilateral process, according to a highly placed Pakistani diplomatic official posted to the Pakistani Embassy in Washington, D.C. This person explained that in the summer of 2001, the Pakistani Foreign Minister, Abdul Sattar, met with Secretary of State Colin Powell to discuss U.S.-Pakistan relations and the possibility of sanction relief. During this dialogue, Powell and Sattar identified several areas of convergent interest, particularly the stability of Southwest and Central Asia, with a focus upon Afghanistan. While both sides agreed on the strategic objective that Afghanistan should have a stable, functioning, representative government, they disagreed on the tactics by which this could be accomplished. Another area of mutual interest was nuclear stability in the South Asian subcontinent.<sup>19</sup>

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<sup>17</sup> See discussion in Fair, "Pakistan-U.S. Security Cooperation: A New Beginning?" in Mulvenon and Lostumbo (eds.), forthcoming.

<sup>18</sup> Conversations with senior Pakistani diplomats at the Embassy of Pakistan in Washington, D.C., analysts in JICPAC, J-5 staff at PACOM, J-2 and J-5 staff in CENTCOM, and at the Pentagon, and with the Pakistan and India desk officers at the Office of the Secretary of Defense (OSD).

<sup>19</sup> According to conversations with a high-level Pakistani diplomat in March 2002. This individual also reported that Presidents Musharraf and Bush exchanged a series of communications expressing a mutual interest in finding areas of bilateral cooperation.

Given the depth and breadth of estrangement between the United States and Pakistan and the pervasive distrust of the United States across broad swathes of the Pakistani polity, Pakistan was, in many respects, a cold-start partner. Yet, there had been some ties between the countries. In addition to peacekeeping operations and the policy review of 2001, a series of eight high-level U.S.-Pakistan nuclear dialogues were led by Strobe Talbot. These engagements mitigated the degree to which the collaboration was begun from a cold start.

Most U.S. interviewees stress that Pakistan did not enter the war on terrorism of its own accord. According to a high-ranking official at the United States Embassy in New Delhi, President Musharraf was told to either abandon support for the Taliban or be prepared to be treated like the Taliban.<sup>20</sup> While Musharraf had little choice in this matter, he clearly understood that benefits would accrue from such participation. He indicated during his October speech that Pakistan was participating in the war on terrorism to preserve its strategic assets and its long-held position on Kashmir. Musharraf and Pakistanis expected that their widespread support for the United States would translate into an equitable resolution of the Kashmir issue, with recognition of Pakistan's stakes in the dispute.<sup>21</sup> Musharraf's failure to

<sup>20</sup> President Bush reportedly told Musharraf after September 11 that he could either be an ally in the war against terrorism or a target. (See, for example, The Council on Foreign Relations in Cooperation with the Markle Foundation, "Terrorism: Q&A." Available at [http://www.terrorismanswers.com/coalition/pakistan\\_print.html](http://www.terrorismanswers.com/coalition/pakistan_print.html) (last accessed August 19, 2002).

<sup>21</sup> When Pakistan refers to its equities in the dispute, it generally refers to its insistence upon the implementation of the United Nations Security Council Resolutions 48 (April 21, 1948), 47 (April 21, 1948), 51 (June 3, 1948), 80 (March, 14, 1950), 91 (March 30, 1951), and the United Nations Commission for India and Pakistan resolutions of August 13, 1948, and January 5, 1949, "that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations." See [http://www.cifjkindia.org/uno\\_docs/uno\\_docs\\_012.shtml](http://www.cifjkindia.org/uno_docs/uno_docs_012.shtml) (last accessed October 21, 2003). Also see the archive of UNSC resolutions, available at [http://www.un.org/Docs/sc/unsc\\_resolutions.html](http://www.un.org/Docs/sc/unsc_resolutions.html) (last accessed October 21, 2003). These equities also reference Pakistan's assertions of gross human rights abuses and other atrocities perpetrated by the Indian state in its efforts to quell the insurgency in Kashmir. The claims of state excesses perpetrated by New Delhi are numerous and well founded. See, for example, "India: Impu-



obtain U.S. support for Pakistan's Kashmir position has compromised his domestic political situation and may motivate some of the discord that has developed in the U.S.-Pakistan relationship during the past two years.

There is little doubt that Pakistan's assistance and support to the United States has been critical both in the conduct of Operation Enduring Freedom specifically and to the war on terror generally. However, it remains to be seen to what extent Pakistan will continue to be a supportive alliance partner of the United States in the war on terrorism and how long it will remain so.

Pakistan's decision calculus is complex and takes into consideration its domestic climate, its internal security threats, its policy objectives vis-à-vis the internationally recognized dispute over Kashmir, and its chronic and intense security competition with India. Moreover, Islamabad perceives that its maneuvering room is restricted by India's refusal to ameliorate Pakistan's threat perceptions or acknowledge Pakistan's regional political equities. Given the stalemate in Indo-Pakistan relations and the prevailing state of ugly stability punctuated by even uglier instability,<sup>22</sup> it seems likely that the future courses of action taken by Islamabad could collide with the joint counterterrorism objectives of the United States and India.

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nity Must End in Jammu and Kashmir," April 21, 2001, Amnesty International. Available at <http://web.amnesty.org/library/Index/ENGASA200232001?open&of=ENG-IND> (last accessed October 21, 2003). Also see "India: A Trail of Unlawful Killings in Jammu and Kashmir: Chithisinghpura and Its Aftermath," June 15, 2000. Available at <http://web.amnesty.org/library/Index/ENGASA200242000?open&of=ENG-IND> (last accessed October 21, 2003). However, Pakistan's own support of militants attacking civilians has also come under fire by the same organization. See, for example, "India: Attacks on Civilians Unacceptable," August 26, 2003. Available at <http://web.amnesty.org/library/Index/ENGASA200222003?open&of=ENG-IND> (last accessed October 21, 2003).

<sup>22</sup> See, for example, "Musharraf Says No More Concessions on Kashmir," *Dawn International*, July 29, 2002.

## Pakistan and the United States: Divergent Threat Perceptions and Objectives

The very different threat perceptions of the United States and Pakistan will likely impede continued U.S.-Pakistan cooperation in the future. A high-ranking Pakistani diplomat explained this divergence in perception. According to him, the United States is concerned about threats emanating from Iraq and Iran as well as Afghanistan. Pakistan, on the other hand, does not perceive a threat from Iran and Iraq. Indeed, while relations with Iran have been compromised in recent years over Pakistan's steadfast support of the Taliban until the fall of 2001, Pakistan still hopes to reinvigorate meaningful relations with Tehran. With even greater concern, Pakistan sees the type of government that is set up in Kabul, the saber rattling in New Delhi, the unresolved disposition of Kashmir, and sectarian groups operating within Pakistan as the most significant threats to its state.<sup>23</sup>

Both Pakistan and the United States appreciated the threat posed by the Taliban<sup>24</sup>—albeit for very different reasons. From Pakistan's point of view, the Taliban had not provided Pakistan what it so desperately sought: strategic depth. Islamabad feared a strategic strangulation by a friendly Kabul–New Delhi axis, and attempted to cultivate a pliable Pakhtun-led regime in Kabul that tilted toward Islamabad. Pakistan hoped that a Taliban-dominated Kabul would acquiesce to the sanctity of the Durand Line and would demur from inflaming irredentist aspirations among Pakistan's Pakhtun popula-

<sup>23</sup> Based on interviews at the Pakistani Embassy in both February and August 2002.

<sup>24</sup> There has been some evolution since September 11, 2001, on what the Taliban is within Pakistan. Initially, Pakistan understood the Taliban to be the entity led by Mullah Omar and cadres. As time has proceeded and as Pakistan has become disillusioned with the type of government taking shape in Afghanistan, there has been renewed interest in a "Pakhtun" militancy with which to project Pakistani interests in Afghanistan. At the time of completing this report (October 2003), "Taliban" has come to mean simply a Pakhtun militia to act as Pakistan's proxy. Moreover, Pakistan is believed to be encouraging the formation of such a militia for action in Afghanistan. This assessment is based upon the author's two rounds of fieldwork in Pakistan during January and July/August 2003.

tion.<sup>25</sup> Far from providing Pakistan benefits in exchange for its support and assistance, the Taliban gave refuge to sectarian militants fleeing the authorities in Pakistan as well as to ordinary criminals. From Islamabad's point of view, the Taliban (under Mullah Omar and company) was a declining asset. Moreover, the Taliban's alliance with al Qaeda put into jeopardy Pakistan's ability to sustain its major thrusts of foreign policy in Afghanistan and in Kashmir.<sup>26</sup> The United States, for its part, saw Afghanistan as a threat because it was a base of operations that enabled al Qaeda to have a global power projection that could threaten the United States and its interests at home and abroad.

Over the years, Pakistan obtained ample evidence that its efforts in Afghanistan did not appreciably enhance its security and that the Taliban was in no way Pakistan's agent. However, the militant training infrastructure in Afghanistan offered tremendous advantages to Islamabad in terms of manpower and materiel for its proxy war in Kashmir. Pakistan paid and continues to pay a heavy price for these amenities. Pakistan has a horrific law and order problem, a serious drug addiction problem, and downstream value-added drug processing in its country. Despite the high costs imposed upon Pakistan for its chimerical pursuit of a pliable Taliban regime, it is not likely that Pakistan would have reversed its policy on the Taliban and Afghanistan in the absence of the September 11 events.

It is worth noting that these problems took root in Pakistan well before the rise of the Taliban. The culture of militancy, drug and weapons trafficking, sectarian violence, and the promulgation of radical ideologies through an expanding network of madrassahs (religious schools) are all consequences of a number of regional events. The So-

<sup>25</sup> The Durand Line was established in 1893 as a boundary within the Hindu Kush region that cut through the tribal lands between Afghanistan and British India. In modern times, the Durand Line has been treated as an informal and sometimes disputed international border between Afghanistan and Pakistan. See Azmat Hayat Khan, *The Durand Line: Its Geo-Strategic Importance*, M. Y. Effendi (ed.), Peshawar: University of Peshawar and Hans Seidel Institute, 2000.

<sup>26</sup> Interviews with Pakistani analysts in Islamabad, Lahore, and Peshawar in January and August 2003.

viet invasion of Afghanistan and the various efforts of the United States, Saudi Arabia, Pakistan, and others to repel the Soviets encouraged the establishment of a "mujahadeen" production base in Pakistan. Madrassahs dramatically increased in number to fulfill the requirement to indoctrinate youth who were subsequently sent to receive military training to fight in Afghanistan.

Pakistan's numerous internal security challenges also stem from the Iranian Revolution and the Iran-Iraq war. As Iran sought to export its Shi'a revolutionary ideals, Tehran provided financial, diplomatic, and political support to fledgling Shi'a groups—some of which militarized. To stem Iran's influence, Iraq, Saudi Arabia, and others established and funded countering Sunni organizations, many of which militarized as well. What resulted was a proxy war for influence fought within Pakistan by Iran and key Arab states, which fostered a culture of sectarian violence that persists to date.<sup>27</sup>

Notably, the United States and Pakistan have only a slight agreement as to *who* is a terrorist and *what* constitutes terrorism. For political expediency, both Islamabad and Washington agree that al Qaeda and the Taliban pose a threat and must be rooted out, but it is less clear that there is whole-hearted consensus among Pakistan's polity that this is the case. Even though the vast majority of Pakistanis are moderates who have hoped that President Musharraf could return

<sup>27</sup> See, for example, International Crisis Group, *Pakistan: Madrasas, Extremism and the Military*, ICG Asia Report No. 36, Islamabad/Brussels, July 29, 2002; Government of Pakistan, Ministry of Education, *Deeni Madaris Report*, 1988 (cited by International Crisis Group, July 29, 2002); P. W. Singer, *Pakistan's Madrasahs: Ensuring a System of Education Not Jihad*, Washington, D.C.: The Brookings Institution, November 2001; and Kamal Matinuddin, *The Taliban Phenomenon: Afghanistan, 1994–1997*, Oxford: Oxford University Press, 1999; S.V.R. Nasr, "The Rise of Sunni Militancy in Pakistan: The Changing Role of Islamism and the Ulama in Society and Politics," *Modern Asian Studies*, Vol. 34, No. 1, 2000; S. Jamal Malik, "Islamization in Pakistan: 1977–1985: The Ulama and Their Places of Learning," *Islamic Studies*, 28, Spring 1998, pp. 5–28; Ahmed Rashid, *Taliban: Islam, Oil and the New Great Game in Central Asia*, London: I. B. Taurus, 2000; and Robert Looney, "Strategic Insight—A U.S. Strategy for Achieving Stability in Pakistan: Expanding Educational Opportunities," September 2, 2002. Available at <http://www.ccc.nps.navy.mil/rsepResources/si/sept02/southAsia.asp> (last accessed April 30, 2003).

<sup>28</sup> See, for example, John Lancaster, "Pakistanis Cross Border with Ease to Join Taliban," *Washington Post*, October 20, 2003, p. 1.

Pakistan to the path of statehood enunciated by its founder, Muhammed Ali Jinnah, the Taliban has numerous supporters in Pakistan even if support for al Qaeda is less prevalent. More troubling is that during the course of 2003, support for the Taliban (or a Pakhtun militia operating in Afghanistan) has deepened as the emergent government in Afghanistan continues to unsettle Pakistanis.<sup>28</sup>

Pakistan is *itself* a victim of terror. Terrorist groups operating within Pakistan repeatedly have targeted Pakistanis—Muslim and Christian alike—as well as foreign persons and assets. The internal security situation that prevails today in Pakistan is due, *inter alia*, to blowback from its own policies, to blowback from the American operations against the Soviets, and to the enduring legacy of the Iranian revolution and the Iran-Iraq war. Pakistan has an intense interest in countering terrorism in the subcontinent where its own interests are at stake even if it cannot fully countenance the nature of the threat it faces for political purposes.<sup>29</sup>

Pakistani interlocutors have indicated that Pakistan will adopt specific policies to contend with different types of militants. Roughly, Pakistani interviewees prefer to group militants into a few types characterized by the ethnicity of their cadres, their political objectives, and their targeting strategies. (Various key groups are described below.) There is concurrence that the easiest sector with which to contend is foreign militants, who could, at least in theory, be identified and deported. However, in practice, Pakistan has few resources that enable the state to locate such persons—even if it had the resolve to do so. Recognizing that there are few resources with which to target those who are already in Pakistan, it seeks the capability to better track future arrivals to the country. Such resources would enable authorities to detain and deport dubious characters.

Pakistan has a particularly strong incentive to deal with the sectarian (e.g., anti-Shi'a or anti-Sunni) groups and groups that engage in violence targeting the state (e.g., the Quami Muttahida Movement). The official line is that Pakistan can target these groups with-

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<sup>29</sup> See Peter Chalk and C. Christine Fair, "Pakistan Faces Up to Need for Reform," *Jane's Intelligence Review*, September 2003.

out compromising support for groups operating in Kashmir. However, not all Pakistani informants understand the threat emanating from sectarian, state-focused, and Kashmir-focused groups in the same way. In fact, Azam Tariq, the leader of the outlawed anti-Shi'a sectarian militant group Sipah-e-Sahaba Pakistan, served in the national assembly until his October 2003 assassination.<sup>30</sup>

One of the negative externalities of Pakistan's Kashmir policy with its heavy reliance upon jihadi manpower is that the concept of jihad has attained an unassailable stature, and the political capital of such militant groups has increased substantially. This has enabled the militant groups wide latitude within Pakistani polity and has served to suppress those who resist the growing power of these organizations. There have also been spillover effects in that the Kashmir-focused groups have cultivated a culture of militancy and sectarianism, which in turn fuels the cycle of sectarian violence. Individuals who understand the magnitude of this blowback readily admit that the policy of "bleeding India" through the use of civilian militants in its proxy war over Kashmir has done little to soften India and has done more harm to Pakistan by imposing extensive opportunity costs on its political, economic, and social development.<sup>31</sup>

Other interviewees counter that historically the sectarian and state-focused problems *preceded* the Kashmir insurgency and, therefore, these groups are fundamentally different phenomena. Thus, the state can isolate sectarian and state-based groups without forgoing its traditional support for groups operating in Kashmir. In this regard, the state's biggest challenge is contending with groups who claim disingenuously to be operating in pursuit of Kashmiri liberation. For example, organized criminal gangs can operate under this rubric and enjoy considerable immunity because no one wants to pursue groups

<sup>30</sup> See John Lancaster and Kamran Khan, "Extremist Groups Renew Activity in Pakistan: Support to Kashmir Militants Is at Odds with the War on Terrorism," *Washington Post*, February 8, 2003. For details of Tariq's assassination, see "Premier, MPs Condole Death of Azam Tariq," *The Dawn*, October 7, 2003 (online version). Available at <http://www.dawn.com/2003/10/07/nat1.htm> (last accessed October 21, 2003).

<sup>31</sup> Based on conversations with diplomats at the Pakistani Embassy in Washington, D.C. Also see Tellis, Fair, and Medby, 2001.

who cloak their violence with the sanctified garb of the Kashmir struggle. This is in addition to the formal resource-sharing agreements made by militant outfits and organized criminal syndicates. Analysts at the Research and Analysis Wing (RAW) and the Institute for Conflict Management (New Delhi), for example, allege that militant groups and organized criminal outfits share each other's transport channels to move goods (e.g., war materiel, persons, and drugs) and financial facilities (money-laundering facilities, hawala<sup>32</sup>). These same analysts aver that criminal outfits may serve as for-hire executioners for some groups.<sup>33</sup>

A serious problem inherent in such a position is that it appears that some groups are morphing and forming previously unobserved coalitions. As a result of the war on terrorism, the denial of assets in Afghanistan, and the increased scrutiny within Pakistan as a result of U.S. pressure, groups are forming coalitions that would have previously been considered improbable. One such coalition is Lashkar-e-Omar (the Army of Omar), which has been associated with various attacks in Karachi. It is believed that this group is named after Ahmed Omar Sheikh, the militant convicted in the kidnapping and murder of Daniel Pearl. This coalition is believed to comprise surviving members of Lashkar-e-Taiba, Jaish-e-Muhammed, and Lashkar-e-Jhangvi.<sup>34</sup>

An alternative view that has traction among this author's Pakistani interlocutors is that these coalitions are not real. Rather, the government of Pakistan is attributing some actions to Lashkar-e-Jhangvi as an excuse to liquidate the army and its assets. Lashkar-e-Jhangvi has long been an irritant to the Pakistani state because of its prosecution of violence against Shi'a in addition to its other acts of civil disturbances and criminal activities.<sup>35</sup>

<sup>32</sup> Hawala is an alternative remittance system much used in South Asia.

<sup>33</sup> According to analysts at RAW and at the Institute of Conflict Studies, both in New Delhi, India, interviewed in September 2002.

<sup>34</sup> David Rohde, "After Pakistan Raid, 3 Mysterious Suicides," *New York Times*, August 7, 2002.

<sup>35</sup> Interview with Pakistani analysts and journalists in July and August 2003.

While all evidence suggests that Musharraf is not and indeed has not been favorably inclined toward the ethos of the militant groups and their destructive influence upon the social fabric of Pakistan and its political and economic development, groups operating in Indian-held Kashmir and within India proper have long been considered a "strategic reserve." Pakistan views these individuals as a relatively inexpensive way of tying up hundreds of thousands of Indian security forces in the counterinsurgency grid.<sup>36</sup>

Many Pakistanis interviewed during the course of this research and during the fieldwork for another RAND analysis (see Tellis, Fair, and Medby, 2001) have suggested that Pakistan has been enormously shortsighted in its cost-benefit assessment of this strategy. In their view, Pakistan believes that it has tied up Indian troops in the counterinsurgency grid with few *direct* costs imposed upon Pakistan and the army. The entanglement of Indian troops in Kashmir is thought to have degraded the morale of the Indian armed forces. Islamabad further maintains that by pinning these formations down in Kashmir, they are unavailable to challenge Pakistan on the international border. (Of course, the military buildup of 2002 provided ample evidence that this belief may not be warranted.)

Pakistan understands this strategy of proxy war to be inexpensive because the costs have largely been shifted toward the civilian population. Some Pakistanis believe that this is an inadequate assessment. The reliance upon civilian militant manpower has required the Pakistani state to neglect public education and give wide berth to the madaris (alternative plural of madrassah). Moreover, the free reign that militants have in Pakistan has fostered the ongoing culture of violence that has permeated Pakistan's social and civic fabrics. Pakistani analysts who are critical of this policy of proxy war argue that it

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<sup>36</sup> "Counterinsurgency grid" is the term used by analysts of South Asia to describe the massive deployment of personnel in Indian-held Kashmir to counter the militancy there. India uses regular army troops, paramilitary organizations (e.g., the Rashtriya Rifles, the Indo-Tibetan Police Force, and the Border Security Force) as well as local police forces for these counterinsurgency duties.



has imposed a number of opportunity costs on Pakistan in terms of social, political, and economic development.<sup>37</sup>

There are those in the Pakistani government who recognize that this strategy of “bleeding the Indians” has been futile. One Pakistani Embassy official explained that the strategy has been a disastrous failure and has enormous implications for Pakistani internal security, and that some way needs to be found to deal with the various jihadis. However, this individual argued that such militants are too numerous to arrest—even if the case could be built against them and prosecuted successfully.

Therefore, in his view, some means must be found to reabsorb the militant elements into Pakistani civil society. Despite these internal critics, Islamabad has maintained its policy of proxy war in Indian-held Kashmir since the late 1980s. As recent events clearly illustrate, there is little evidence that Pakistan is able or willing to abandon this policy, which many in Pakistan believe to be ruinous.

Because it is far from clear that this critical perspective of its Kashmir policy is prevalent in Islamabad, there is little chance that Pakistan can permanently back away from its long-pursued (but ultimately fruitless) policy of “calibrating the insurgency” until it has some viable exit strategy. In this regard, India could be enormously helpful. However, India does not appear to recognize its ability to help Pakistan reorient its foreign policy. During the summer of 2002, U.S. policymakers communicated the desire that all such infiltration cease to permit the conduct of free and fair elections in Kashmir, which was hoped to be followed by a robust dialogue to resolve the outstanding disputes over the region.

Although the elections were held and were widely adjudged to be no less or more free and fair than any other Indian election, the broad-based dialogue has yet to take place in a meaningful way. Even though it has been nearly a year since Indian and Pakistani troops were lined up “eyeball to eyeball” on the border, there is no evidence that Pakistan intends to abandon what it understands to be its strate-

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<sup>37</sup> This argument is extended in Tellis, Fair, and Medby, 2001.

gic reserve.<sup>38</sup> Further, Musharraf repeatedly has asserted that he has done all he can do and all he is willing to do without some concession from India. New Delhi, for its part, sees no reason to reward Pakistan for ceasing behavior that it considers to be active support for terrorism. Thus, the prospects for Pakistan to permanently divorce itself from its ragged reliance upon civilian militant manpower are dim.

### **Pakistan's Contribution to Operation Enduring Freedom and to the War on Terrorism**

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Most U.S. officials in the Pentagon, United States Central Command, and the Department of State have praised Islamabad for providing extensive access to the United States both in the context of OEF and in the post-OEF phase of operations. According to an unclassified CENTCOM LNO (Liaison Officer) briefing, "Pakistan has provided more support, captured more terrorists, and committed more troops than any other nation in the GCTF [Global Counterterrorism Force]."<sup>39</sup>

#### **Military and Intelligence Support**

Pakistan's support for OEF and the war on terrorism has been realized across its force structure. The army dedicated over 35,000 troops for internal security and operations support. This contribution included two Special Forces battalions and a redeployment of forces along the western border to support operations at Khowst. The navy provided over 2,500 troops dedicated to search and rescue and to security. The navy also provided use of a recompression chamber and activated two bases. Another 7,000 troops came from the air force. In addition, the air force deployed radars, moved two squadrons for U.S. Forward Operating Bases (FOBs), and activated three bases. In addi-

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<sup>38</sup> Husain Haqqani, "At the Brink," *San Diego Union Tribune*, June 9, 2002. Available at <http://www.ccip.org> (last accessed August 19, 2002).

<sup>39</sup> United States Central Command, "USCENTCOM LNO Cell Briefing," personal communication, USCENTCOM staff, February/March 2002.

tion to personnel and resources from its regular force structure, Pakistan dedicated assets from its provincial paramilitary forces to supplement security at bases and at other U.S. facilities.<sup>40</sup> To help coordinate efforts in the theater, on March 14, 2002, Pakistan sent a five-member LNO team to U.S. CENTCOM in Tampa, Florida.<sup>41</sup>

Pakistan made available two-thirds of its air space for coalition operations. Access to air space was essential because most coalition strike aircraft were based to the south. U.S. Navy and Marine Corps fighters operated from carriers in the Indian Ocean and U.S. Air Force bombers came from Diego Garcia. The only militarily practical alternative to overflying Pakistan would have been to use Iranian air space—an unlikely prospect.<sup>42</sup> Provision of Pakistani access required deconfliction of air space for civilian, Pakistani military, and coalition military usage. Between October 1, 2001, and March 7, 2002, this coordination facilitated more than 28,000 sorties (some 10,000 of which were strike sorties) from or through Pakistan.<sup>43</sup>

Pakistan also provided extensive access to its bases and helped to establish a number of facilities to enable operations in Afghanistan. These facilities included (see Figure 1):

- Intermediate Staging Bases (ISBs) at Jacobabad, Pasni, Dalbandin, and Shamsi
- Predator basing at Jacobabad and Shamsi
- Access to Zhob and Kohat as required
- Access to Robray as required for training.<sup>44</sup>

<sup>40</sup> Ibid.; U.S. CENTCOM, "Pakistan—An Enduring Friend," March 24, 2002; U.S. Department of Defense, Office of Public Affairs, "Coalition Contributions to the War on Terrorism," *Fact Sheet*, Washington File, June 10, 2002.

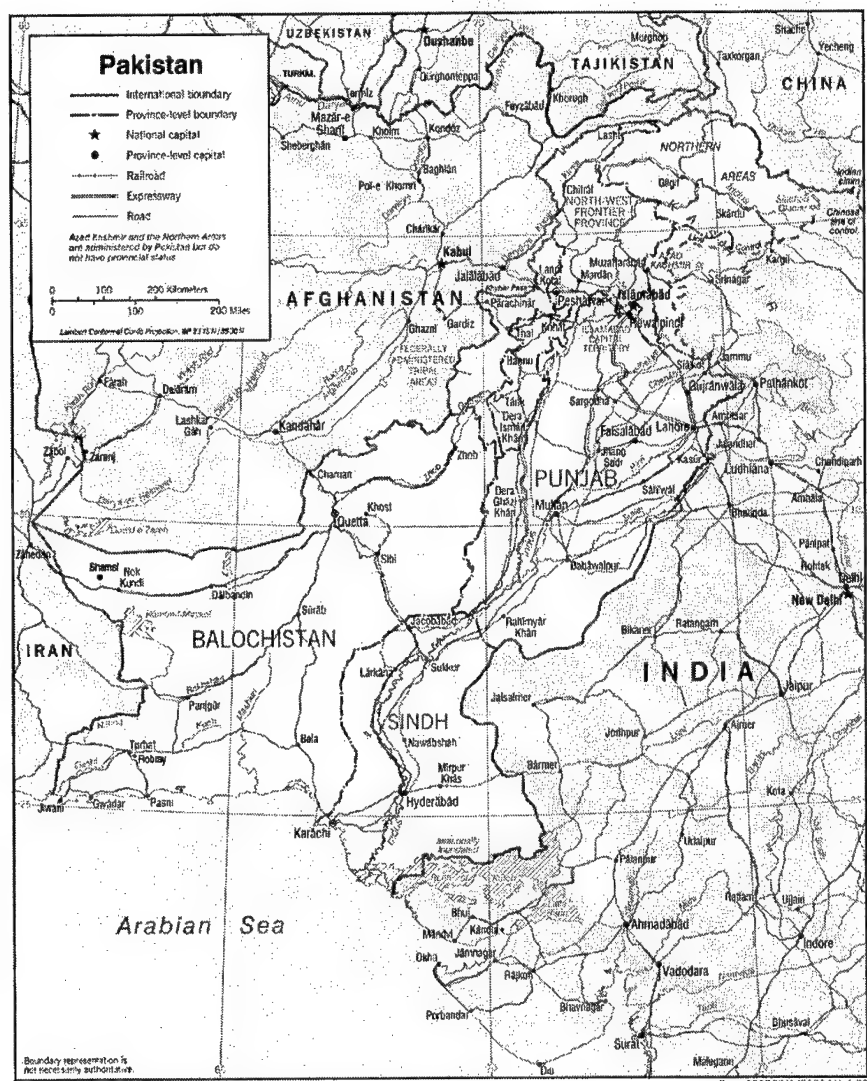
<sup>41</sup> "Coalition Contributions to the War on Terrorism," *Fact Sheet*.

<sup>42</sup> U.S. CENTCOM, "Pakistan—An Enduring Friend."

<sup>43</sup> United States Central Command, "USCENTCOM LNO Cell Briefing"; U.S. CENTCOM, "Pakistan—An Enduring Friend."

<sup>44</sup> United States Central Command, "USCENTCOM LNO Cell Briefing"; U.S. CENTCOM, "Pakistan—An Enduring Friend."

**Figure 1**  
**Pakistan**



Courtesy of the University of Texas Library Online.

Base 802862A (C00341) 4-02

Over 50 aircraft and 2,000 coalition military personnel supporting combat operations in Afghanistan were bedded down at these locations.<sup>45</sup>

In addition, Pakistan is providing a forward mounting base in Karachi for the use of the International Security Assistance Force (ISAF). The ISAF is using wide-bodied aircraft to fly in large amounts of supplies and equipment, which are then off-loaded and transported into Afghanistan via smaller aircraft.<sup>46</sup>

Pakistan also made available portions of its logistical reserves for coalition usage. This is a notable contribution in light of Pakistan's chronic economic anemia and its own self-defense support requirements during a period of much-heightened tension with India. Reportedly, Pakistan provided some 100,000 gallons of fuel daily for coalition aircraft and forces operating in Afghanistan. It is also important to recognize that for the first several months Pakistan provided this support *without any established repayment mechanism*. (This has subsequently been addressed and the proper repayment mechanisms are in place and operating.)<sup>47</sup>

Force protection was another notable Pakistani contribution—Islamabad dedicated over 35,000 of its troops to protect coalition bases. These troops were used to sequester and contain violent demonstrations—many of which resulted in the deaths of Pakistanis protesting the U.S. presence. Although there were civilian casualties in Pakistan resulting from terrorism (e.g., Daniel Pearl, U.S. Embassy personnel in the Islamabad church attack, several French engineers in Karachi, etc.), there were no terrorist incidents involving coalition military forces.<sup>48</sup>

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<sup>45</sup> United States Central Command, "USCENTCOM LNO Cell Briefing"; U.S. CENTCOM, "Pakistan—An Enduring Friend"; "Coalition Contributions to the War on Terrorism," *Fact Sheet*.

<sup>46</sup> U.S. CENTCOM, "Pakistan—An Enduring Friend."

<sup>47</sup> United States Central Command, "USCENTCOM LNO Cell Briefing"; U.S. CENTCOM, "Pakistan—An Enduring Friend"; "Coalition Contributions to the War on Terrorism," *Fact Sheet*.

<sup>48</sup> U.S. CENTCOM, "Pakistan—An Enduring Friend."

Pakistan supported naval and marine operations with surface, subsurface, and naval assets. Consequently, coalition forces had freedom of operation within areas proximate to Pakistan.<sup>49</sup> This support was particularly useful for the Naval Air Wings and Amphibious Ready Groups of Task Force 58 (TF 58), the only “decisive ground force available in theater to conduct sustained operations in Southern Afghanistan.”<sup>50</sup> According to U.S. CENTCOM, between November 1, 2001, and February 2002, the following TF 58 activities took place without impediment:

- More than 100 days of surface and air operations
- More than 275 Landing Craft Air Cushioned and Landing Craft Utility off-loads
- More than 400 C-17, C-130, and helicopter sorties
- Movement of more than 8,000 Marines, 330 vehicles, and 1,350 tons of cargo across the beaches and Pasni airfield.<sup>51</sup>

One U.S. officer, remarking upon their size, duration, and depth during OEF, suggested that these efforts may be the largest amphibious operation conducted by the United States Marine Corps since the Korean War.<sup>52</sup>

Marine and Navy helicopter pilots were able to practice dust landings at Robray, enabling them to obtain experience practicing in conditions very similar to those they would encounter in Afghanistan.<sup>53</sup>

Finally, the Pakistan navy, Maritime Security Agency, and Coast Guard coordinated several interdiction operations through the LNO

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<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

team along the Pakistani littoral to capture al Qaeda fugitives seeking refuge in Gulf countries.<sup>54</sup>

Pakistani assistance supported numerous special operations in both Afghanistan and Pakistan. In addition to its force requirements on the eastern border with India imposed by the 10-month military buildup in 2002, Pakistan deployed more than 80 battalions to seal the western border with Afghanistan.<sup>55</sup>

Sealing the border is no easy task in the incredibly rugged terrain that includes some of the highest mountains in the world. Border operations are further compromised by the local social and political conditions. Pakistan has never had a strong hold on these border areas and the tribal areas still generally operate under their own codes of conduct. Many residents of the frontier areas are sympathetic to the Taliban, and the local codes of tribal etiquette require families to provide food and shelter to guests—irrespective of the guests' legal status. These obstacles notwithstanding, Pakistan has captured some 420 high-value Taliban and al Qaeda fugitives.<sup>56</sup>

Pakistani intelligence assets have been critical to U.S. operations in the region. Arguably, no state has had greater HUMINT (human intelligence) access to Afghanistan than has Pakistan and this has provided an important complement to U.S. technical and other means of intelligence collection. Pakistan's madaris were nurtured by its Inter-service Intelligence Directorate (ISI) and were indeed the cradle of the Taliban movement. While Pakistan may decline to admit the extent of its presence in Afghanistan, it was one of the few states that recognized the legitimacy of the Taliban regime in Afghanistan. Despite its much-hectorated past involvement in Afghanistan, the ISI has made important, if underrecognized, contributions to various phases

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<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> See "Top Al Qaeda Suspect in U.S. Custody," *CBSNews.com*, March 3, 2003. Available at <http://www.cbsnews.com/stories/2003/03/03/attack/main542488.shtml> (last accessed October 11, 2003).

of operations—particularly in providing extensive and targeted HUMINT.<sup>57</sup>

### **Diplomatic Contributions**

At the diplomatic level, Pakistan quickly and dramatically reversed a decades-old policy in Afghanistan and joined the U.S.-led war on terrorism. President Musharraf has consistently expressed outrage at such acts of terrorism as those committed on September 11, 2001, and the domestic incidents targeting both Pakistanis and foreigners (including the attacks on the diplomatic enclave in Islamabad, on the French engineers in Karachi, and on the U.S. Consulate in Karachi, and the kidnapping and slaying of Daniel Pearl). Pakistan has also ratified or acceded to nine of the twelve United Nations antiterrorism conventions. An inter-Ministerial Committee is considering the remaining three.<sup>58</sup>

### **Law Enforcement and Internal Security Measures**

Pakistan has taken a number of steps to restrict terrorist financing. According to Shamshad Ahmad in a December 2001 communication to the United Nations, Pakistan has cooperated with several international efforts to suppress financing of terrorism, in the following ways:

- All commercial Pakistani banks were ordered by the State Bank of Pakistan to freeze the accounts of organizations suspected of having ties to terrorist activities or organizations in lists compiled by the United Nations Security Council, the Asian Development Bank, and the U.S. Embassy in Islamabad, Pakistan.

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<sup>57</sup> "Coalition Contributions to the War on Terrorism," *Fact Sheet*; conversations with the Pakistan Desk Officer, US CENTCOM, analysts on the Joint Staff (Strategic Plans and Policy, J-5, South Asia Branch), and analysts at DIA-MESA, July 2002.

<sup>58</sup> Shamshad Ahmad in letter dated December 27, 2001, from the Permanent Representative of Pakistan to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counterterrorism. See text of this document for details about the various conventions and protocols and their ratification status within Pakistan.



- The Ministry of Finance convened a working group to create a framework for curbing money laundering. This working group is composed of representatives from the Ministries of Law and Justice, Foreign Affairs, and Interior, as well the State Bank of Pakistan, the Securities Exchange Commission, the National Accountability Bureau, and the Federal Investigating Agency. This working group first met on December 10, 2001, in Islamabad. It has the following objectives:
  - Devise workable definitions of “money laundering” and identify extant loopholes that permit dubious cash transactions.
  - Examine international standards to deter money laundering that will enable the group to draft a legal framework for Pakistan.
  - Establish a Suspicious Transaction Detection System within the banking industry that will permit regular monitoring of accounts and develop greater transparency in business transactions.<sup>59</sup>

These efforts sound impressive, but there are reasons for cautious pessimism. For example, when terrorist groups were outlawed and their bank accounts frozen, most of those targeted changed their names and opened new accounts. Moreover, a number of Indian and Pakistani individuals have told the author that the groups were warned *in advance* of these efforts, enabling them to make the necessary changes. It is also not apparent that the groups had large accounts in their names. Rather, accounts were reportedly listed under the names of other organizations and individuals.

It is also unclear whether Pakistan has both the necessary resources and requisite will to contend with the pervasiveness of the informal hawala network that is the prime mover of funds into Paki-

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<sup>59</sup> Ibid.

stan from its various expatriate workers.<sup>60</sup> Corruption and other facets of Pakistani political life may impede the financial efforts described above. Yet, despite all of these reasons to view these reform efforts with caution, fieldwork on terrorist recruitment conducted by the author in August 2003 found widespread belief that these measures have retarded the ability of some groups to raise funds and to operate. A Pakistan senator interviewed in June 2003 even indicated that one of the positive externalities of these policies is that more funds from remittances are being funneled through official Pakistani coffers, which has done much to improve Pakistan's fiscal health.

To enable it to render terrorists and other criminals to other countries, Pakistan has signed extradition treaties with twenty-seven countries. While Pakistan has no official extradition treaty with the United States, it has "rendered" (rather than extradited) individuals to the United States in the past.<sup>61</sup> Pakistan also claims to provide information on terrorists and terrorist organizations to other countries and it maintains an active liaison with Interpol. Pakistan is a member of the International Criminal Police Organization (ICPO-INTERPOL) and falls under this organization's constitution; the National Central Bureau (NCB) Pakistan maintains liaisons with a number of departments within Pakistan,<sup>62</sup> with the national central bureaus of other countries, and with the Secretariat General of ICPO-INTERPOL. The NCB Pakistan shares information and intelligence on criminal matters with these organizations and provides information to the United Nations Center for International Crime

<sup>60</sup> See N. S. Jamwal, "Hawala—The Invisible Financing System of Terrorism," *Strategic Analysis*, Vol. 26, No. 2, 2002, pp. 181–198; and Strategic Foresight Group, *The Future of Pakistan*, Mumbai: International Centre for Peace Initiatives, 2002.

<sup>61</sup> Richard Boucher, daily press briefing, Department of State, February 27, 2002. Available at <http://www.state.gov/r/pa/prs/dpb/2002/8553.htm>. See also "U.S. Seeks Pearl Suspect's Extradition," *BBC Online*, February 26, 2002. Available at [http://news.bbc.co.uk/1/hi/world/south\\_asia/1841692.stm](http://news.bbc.co.uk/1/hi/world/south_asia/1841692.stm).

<sup>62</sup> According to Pakistan's Ministry of Interior, "NCB is a base of operation for all cases relating to international Police Cooperation, fighting against crimes and criminals and all criminals subjected to surveillance, identification search, arrest, interrogation and extradition"; see "Federal Investigation Agency." Available at <http://www.interior.gov.pk/fia.htm> (last accessed October 7, 2002).

Prevention and Drug Control. The NCB Pakistan serves also as a national focal point for international crime prevention.<sup>63</sup>

Pakistan has taken steps to deal with its numerous internal security threats. Shamshad Ahmed, in his report to the United Nations, cited the passage of the 1997 Anti-Terrorism Act that was ostensibly “adopted with the aim of preventing terrorist acts, sectarian violence and in order to ensure speedy trials of those involved in heinous offences.”<sup>64</sup> Ahmed further explained that in August 2001, the act was further amended to expand its applicability. Under this broadened act, both terrorism and abetting terrorism (e.g., membership in terrorist groups, recruitment for such groups, or provision of other forms of support) are punishable offences.<sup>65</sup> Clearly Pakistan has used these tools selectively. The leader of the Sipah-e-Sahaba (a sectarian terrorist group) was permitted to run for a seat in the National Assembly from jail—and won the election. Pakistanis interviewed in August 2003 explained that this was permitted because he agreed to vote for Musharraf’s preferred prime minister.

The government of Pakistan has attempted to restrict the supply of weapons available to such groups. Some of these efforts began well before the events of September 11, 2001. Initiatives include:

- March 1, 2000: a ban was imposed on brandishing and displaying weapons in public.
- February 15, 2001: issuances of arms licenses were banned.
- June 1, 2001: an arms recovery campaign was initiated, with an amnesty period between June 5 and June 20, 2001. During this amnesty period, 87,000 weapons were voluntarily surrendered; another 38,990 were recovered after the amnesty expired.
- Pakistan claims to be enforcing the Surrender of Illicit Arms Act of 1991 as of June 20, 2001.

<sup>63</sup> Shamshad Ahmad in letter dated December 27, 2001, from the Permanent Representative of Pakistan to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counterterrorism.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

- Pakistan claims that it will begin a model project in the Punjab. With the help of the United Nations Development Programme (UNDP), it will be expanded to other provinces. The model project will
  - create a database of arms dealers
  - computerize old records of arms licenses
  - reregister/revalidate existing arms licenses
  - introduce a new license book with security features.<sup>66</sup>

Again, while these steps appear encouraging, their ultimate impact in the near term merit at best cautious optimism. First, Pakistan has a pervasive gun culture. Although 87,000 weapons may sound substantial, it is a drop in the bucket. Moreover, enforcing these laws and building the type of infrastructure described above will require the wholehearted will of all layers of government (including law enforcement personnel who are notoriously vulnerable to bribery) and the dedication of resources. Pakistan's previous track record and lack of the requisite resources suggest that these initiatives may be less robust than they appear. It is noteworthy that Pakistan is only *now* trying to *enforce* laws that have been on the books for several years.

A fundamental element of Pakistan's internal security measures has pivoted on education reform. While this may appear to be a discordant topic to fall under the rubric of restricting terrorist access to resources, in Pakistan and in other countries of South Asia, the madaris have been critical institutions for indoctrinating, recruiting, and deploying militant manpower. The lack of state commitment to public education, the rise of madaris, and the growing segment within the madaris that impart militant indoctrination have been occurring for decades.<sup>67</sup>

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<sup>66</sup> Ibid.

<sup>67</sup> Nadeem Malik, "15 to 20 pc Madaris Impart Military Training: WB," *The News International*, August 2, 2002.

Zia Ul Haq, during his tenure between 1977 and 1988, nurtured the madrassah system as it presents itself today. Zia placed the madaris under the administration of extreme organizations and individuals and promoted their growth along the Pakistan-Afghanistan border. The new madaris were to impart military training and supply a religiously motivated cadre (so-called "mujahadeen") to force the Soviets out of Afghanistan. Zia also believed that these institutions would provide political support to his regime, which launched a number of initiatives to Islamicize Pakistan. Zia's motivation to promote a specifically Islamic trajectory for Pakistan came both from his own personal beliefs and from his desire to co-opt the support of Pakistan's numerous Islamic political groups.

To convey legitimacy to the madaris, Zia declared that their degrees were equivalent to those from formal universities. Consequently, students from madaris more easily found employment within the civil service, which subsequently made the state more amenable to accommodate the madaris as well as the sectarian and militant worldviews that they espoused.<sup>68</sup>

Prior to the events of September 11, 2001, Musharraf did try to slow the pervasive and negative influence of the madaris. Musharraf's government tried to register every madrassah in Pakistan in June 2000. In addition, the government tried to implement a licensing scheme that required schools to include modern (e.g., secular) subjects in their curriculum, disclose sources of funding, obtain permission to enroll foreign students, and cease their support and training for militant training camps. These efforts were largely fruitless with only 4,350 (less than one-tenth of madaris) registered. The remaining madaris disregarded the statute. Part of the reason for the failure of the ordinance was that there was neither an incentive for madaris to register nor punishment if they did not.<sup>69</sup>

Given the spectacular failure of previous efforts, Musharraf's new efforts as promulgated under the Deeni Madaris (Voluntary

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<sup>68</sup> Ibid.

<sup>69</sup> Singer, 2001.

Registration and Regulation) Ordinance 2002 offer little chance of greater success. Certainly, the ordinance must provide clear incentives for madaris to register (such as funding). Ideally, there should also be a clear disincentive to disregard the ordinance (such as closure of the school). However, given concerns about backlash from Pakistan's most dangerous and volatile segment, the government will likely not pursue punishment.<sup>70</sup>

Recent data suggest that the new efforts too are floundering, as did their historical counterparts. The 2002 ordinance calls for voluntary regulation of the madaris and precludes the government of Pakistan from meaningfully intervening in the system. Yet despite the toothless nature of the ordinance, it nevertheless came under fire from conservatives. To accommodate these conservatives, the government agreed to establish a committee to amend the ordinance to make it more palatable to the ulema (religious leaders). However, there has been no time frame established for this amendment or for its promulgation. Observers speculate that the ordinance will languish indefinitely while Musharraf continues to give voice to his intention of addressing this concern of the international community.<sup>71</sup>

This set of developments is very unfortunate. There can be little doubt that further concessions to the more radical elements will only strengthen the hands of the militants and other conservative elements despite the fact that the madrassah system is an enormous source of internal insecurity for Pakistan and has in addition numerous implications for regional stability. The only long-term solution to stemming the trend toward conservatism in Pakistan is to aggressively reform and co-opt the madrassah system, so as to create a literate Pakistani polity with viable employment prospects in a rehabilitated economy.

Domestic terrorist organizations pose significant threats to the functioning and stability of Pakistan. Within Pakistan, there are many types of militant organizations that operate with relative impu-

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<sup>70</sup> Ibid.; also see "Editorial: Retreating on the Madrassas," *Daily Times*, August 3, 2002.

<sup>71</sup> Ibid.

nity and immunity from the state. For purposes of analysis, these groups can be disaggregated along several different lines. One set includes their political and religious objectives, as well as their sectarian affiliation. Using these criteria, we can group these militant outfits as follows:

- Groups who have tended to focus their “jihad” upon Kashmir. Such groups would include Deobandi organizations such as Jaish-e-Mohammed and Harkat-ul-Ansar/Harkat-ul-Mujahadeen, Ahle Hadith organizations such as Lashkar-e-Taieba, and those groups under the influence of the nonsectarian Jamaat-e-Islami such as Al Badr and Hizbol Mujahadeen.
- Sectarian groups such as the Lashkar-e-Jhangvi and Sipah-e-Sahaba. These groups are thought to be influenced by the Deobandi organization Jamiat-e-Ulema Islami, are Sunni sectarian in nature, and have targeted Shi’a groups. These groups are funded by wealthy individuals and organizations from Saudi Arabia, United Arab Emirates (UAE), Kuwait, and other such regimes. There are also Shi’a sectarian groups such as the Sipah-e-Mohammed who target Sunni Muslims and obtain funding from Iran.
- Militant groups such as the Muttahida (formerly Muhajir) Quami Movement (MQM) and its breakaway organizations and competitors who perpetrate violence aimed at the state in pursuit of their political objectives.

The sectarian and Kashmir-oriented groups tend to have different operational theaters, but they see each other as comrades. For example, Jaish-e-Mohammed operates outside of Pakistan but understands Lashkar-e-Jhangvi to be waging a jihad on Pakistan domestically. Similarly, whereas Lashkar-e-Jhangvi sees its theater as Pakistan itself, its cadres support the efforts of other groups operating in Indian-held Kashmir. To further complicate a clear-cut taxonomy

of these various groups, there is also overlapping membership among many of them.<sup>72</sup>

Another dimension along which Kashmir-focused militant outfits can be differentiated is the composition of ethnic groups and nationalities among their cadres. For example, non-Pakistani militants operate in Kashmir who come from Arab states, Southeast Asia, Central Asia, and elsewhere. Some militants are Pakistani but not Kashmiri in ethnicity. These individuals come from the Punjab, the Northwest Frontier Provinces, Baluchistan, and Sindh. Finally, there are militants who are ethnically Kashmiri.<sup>73</sup>

Even before the war on terror, Musharraf had made attempts to stem the militancy within Pakistan.<sup>74</sup> The Pakistani government has been particularly concerned about sectarian groups such as the Lashkar-e-Jhangvi and the Sipah-e-Muhammed. These groups are responsible for considerable violence perpetrated against Pakistani civilians and for civic disturbances. In August 2001, both Lashkar-e-Jhangvi and the Sipah-e-Muhammed were banned.<sup>75</sup> Moreover, Pakistan set up a task force under the Ministry of Interior on sectarian harmony. However, it remains to be seen whether the task force will produce tangible results.

Pakistan's dedication to uprooting the militant culture within the state is most suspect in regard to groups acting (or claiming to act) on behalf of the Kashmiri militancy. Pakistan has relied heavily on Kashmir-focused groups to prosecute its proxy war in Kashmir. For example, President Musharraf took the opportunity on Pakistan's Independence Day to stress in a public address that while Pakistan is

<sup>72</sup> See the Urdu language book by Mohammad Amir Rana, *Jihad-e-Kashmir Aur Afghanistan (The Jihad in Kashmir and Afghanistan)*, Lahore: Mashaal Books, 2002. The book is an encyclopedic treatment of Islamist groups in Pakistan.

<sup>73</sup> Rana, 2002.

<sup>74</sup> See Tellis, Fair, and Medby, 2001.

<sup>75</sup> Shamshad Ahmad letter, December 27, 2001.



devoted to uprooting sectarian groups, it will remain steadfast in its support for the Kashmiris.<sup>76</sup>

This is not to say that Pakistan does not feel the pressure to act against groups targeting Kashmir. Pakistan is likely to make several (perhaps cosmetic) efforts in this regard. For example, many Pakistani sources concur that Pakistan will be most able to tackle foreign militants. In theory, these individuals could be located and deported with minimal outrage from the conservative segments of Pakistani society. However, in practice, Pakistan has few resources to do this.

Where Pakistan has far less ability and perhaps even will to act is with regard to Pakistani groups claiming to be operating in pursuit of Kashmiri liberation. While Musharraf has on numerous occasions promised to shut down militant operations in Pakistan-held Kashmir (or Azad Kashmir, as it is called in Pakistan), it will take considerable pressure to make this decision permanent.

One of the least expected consequences of the war on terrorism is that the discordant groups are forming coalitions. This development renders futile Islamabad's attempts to classify groups and adopt specific courses of action for each. Lashkar-e-Omar ostensibly is an example of such coalitions.<sup>77</sup> Moreover, analysts within India's Intelligence Bureau (IB) and RAW argue that they have observed disparate mujahadeen groups forming other types of coalitions—particularly with Hizbul-Mujahadeen to give the façade of local-Kashmiri participation. These same analysts also allege that militant groups are now acting in ways that have not been observed before, such as consolidating training and communication facilities and launching joint operations.<sup>78</sup>

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<sup>76</sup> David Rohde, "Musharraf Assails Islamic Militants, But Stands Firm on Kashmir," *New York Times*, August 15, 2001; "Pakistan Vows to Crush Militancy," *CNN online*, August 14, 2002. Available at <http://www.cnn.com/2002/WORLD/asiapcf/south/08/14/pakistan.arrests/index.htm>.

<sup>77</sup> Rohde, 2002.

<sup>78</sup> Based on conversations with analysts at IB and RAW in New Delhi, September 2002.

### Pakistan's Strengths, Weaknesses, and Limitations

At the intersection of South, Southwest, and Central Asia, Pakistan's geography is an important asset given the interests of the United States and the international community in these regions. Pakistan's geographical value remains in spite of the tense relations with many of its neighbors (e.g., Iran, India, Afghanistan, and the Central Asian Republics) arising from Pakistan's support of the Taliban and its export of trained militants to fight in a plethora of conflicts in these areas. Although Pakistan is now bogged down in its domestic morass, during the 1990s Pakistan eyed Central Asia and competed with India for access to Central Asian markets and for diplomatic prestige. A rehabilitated Pakistan could help stabilize the region, whereas a Pakistan that continues its downward spiral could further imperil the region with the export of its Islamic militancy and related internal security problems such as narcotics and weapons trafficking.

Pakistan is a key state in the war on terrorism both because it can be an important ally in the efforts to contend with a regional source of terrorism *and* because, if it cannot stem the current trend, Pakistan will become the next safe haven for terrorists operating in the region. Jose Padilla's sojourn in Pakistan demonstrates that to a considerable extent Pakistan *already* has become the next best thing to the Afghanistan ruled by the al Qaeda-Taliban complex. Padilla was the so-called Dirty Bomber.

Another, often overlooked, asset that Pakistan has is the vast populace that seeks to see Pakistan return to the more moderate and modern path outlined by its founder, Mohammad Ali Jinnah. In a nationwide poll conducted by *The Herald* in February 2002, only 3 percent of respondents defined themselves as "very conservative" and 9 percent identified themselves as "somewhat conservative." Another 5 percent considered themselves "closer to conservative." In contrast, 9 percent said that they were "very liberal," 21 percent "somewhat liberal," and 3 percent "closer to liberal." Over a quarter (26 percent) described themselves as "in the middle."<sup>79</sup>

<sup>79</sup> "Musharraf's New Pakistan: What the People Think," *The Herald*, February 2002, p. 74. Twenty-four percent of those polled refused to or could not answer the question. It is useful

In addition to being generally moderate or even liberal in inclination, the vast majority of Pakistanis widely support Musharraf's moves to restrict religious extremists in Pakistan. A poll conducted by the U.S. Department of State suggested that 86 percent of respondents approve of reforming the madaris and another 77 percent approve of banning militant organizations. A solid majority (78 percent) believes that "religious extremism should no longer be tolerated in Pakistan."<sup>80</sup>

Apart from its geographical endowments, a politically moderate polity, and excellent Afghanistan-specific HUMINT resources, Pakistan also has a professional, disciplined, and well-funded army, despite many concerns about its "Talibanization."<sup>81</sup> There is little rea-

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to define what "liberal" means in the Pakistani context. Pakistanis who describe themselves as liberal or moderate imply that they are Muslim but not Islamic. That is, their faith is a matter of personal identity and is not the purview of the state. Such persons may consider themselves to be socially liberal or moderate (e.g., they drink alcohol, attend same-sex parties, engage in active criticism of the state, or wear clothing other than the national dress). They may even ascribe to practices commonly associated with the Barelvi tradition (such as shrine worship and other rituals associated with Sufism). Perhaps the best analogy is a Jewish person who may not keep kosher, disregards other practices that orthodox and conservative Jews highly value, and attend synagogue (if at all) only on key holidays. Despite the lack of adherence to orthodox practices, such a person would still consider himself or herself to be Jewish. This is explained at length in C. Christine Fair and Karthik Vaidyanathan, "The Practice of Islam in Pakistan and Islam's Influence on Pakistani Politics," presented at the Prospects for Peace in South Asia: 2nd Conference on South Asian Security, January 21 and 22, 2003, Bechtel Conference Center, Stanford University (to be published by the Army War College).

<sup>80</sup> United States Department of State, "In Pakistan, Musharraf Has Broad Public Support; Most Back His Anti-Extremist Reforms But Public Still Widely Dissatisfied with Nation's Direction," *Opinion Analysis*, Washington D.C.: Office of Research, May 17, 2002.

<sup>81</sup> Some analysts have disagreed with the thesis that the army is being Talibanized. For example, Vali Nasr argued at the "Prospects for Peace in South Asia: 2nd conference on South Asian Security," January 21–22, 2003, Stanford University, that the Pakistani army is increasingly secular in the policies that it pursues. In addition, senior military analysts at the United States Embassy in Islamabad aver that more so than ever, the Pakistan army remains secular in its outlook and dismiss concerns regarding the "Talibanization" of this important institution. According to Stephen Cohen (March 2002), while the Pakistan army is not being overtaken by Islamic extremists, "the army is more conservative—or rather there are fewer 'liberal' officers than before, which means that it reflects changes in Pakistan itself—but it is still a corporate body, it is concerned about professional matters as well as the future of Pakistani society. I doubt if there are any radical Islamic cabals operating within the officer corps. Younger officers that I met seem identical to their forerunners in many

son to believe that the army is inclined to conspire to unseat Musharraf and indeed all evidence appears to suggest that Musharraf continues to hold the support of his corps commanders and other army leadership.<sup>82</sup>

Pakistan has a demonstrated track record in peacekeeping and has contributed significantly to a wide range of U.S.- and UN-sponsored peacekeeping exercises. Pakistani troops took part in the U.S.-led humanitarian effort in Haiti and Somalia. In Mogadishu, a Pakistan Quick Reaction Force helped to rescue U.S. Army Special Forces from an ambush that resulted in the death of 18 U.S. Army special operations soldiers and the wounding of another 70. In November 2001, there were some 5,500 Pakistani troops and observers in the UN peacekeeping efforts in (among other countries) Sierra Leone, East Timor, Kosovo, and the Congo.<sup>83</sup>

Despite these strengths, there are a number of limitations upon Pakistan's ability to continue to contribute positively to the war on terrorism. Some of these constraints emerge from Pakistan's domestic situation, its policies on Kashmir, and the intractable conflict with India. Other limitations arise from Pakistan's fiscal weakness and pervasive dearth of resources, including human capital, facilities, infrastructure, and effective bureaucratic culture.

Pakistan's Kashmir policy will likely put it on a collision course with Washington. Pakistan's pursuit of low-intensity conflict in Kashmir undermines one of the United States' principal objectives for the region: to bring the probability of Indo-Pakistan conventional

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ways . . . as professional soldiers they remain similar to those that I wrote about in the early 1980s."

<sup>82</sup> Hannah Bloch, "Vote for Me—Now," *Time* Internet Edition, Vol. 159, No. 17, May 6, 2002. Available at <http://www.time.com/time/asia/magazine/printout/0,13675,501020506-233991,00.html> (last accessed January 24, 2003). Ihtasham Ul Haque, "Commanders Repose Trust in Musharraf," *The Dawn* Internet Edition, November 19, 2002. Available at <http://www.dawn.com/2002/11/19/top4.htm> (last accessed January 24, 2003).

<sup>83</sup> Blood, 2002. The Pakistan army is well respected among Muslim and African countries. In fact, the Pakistani army has repeatedly been invited by the governments of Libya, Saudi Arabia, UAE, Ghana, Zimbabwe, and Jordan, among others, to reorganize and train these national defense forces ("Fifty Years of Pakistan Army." Available at <http://www.geocities.com/Pentagon/Bunker/5040/> [last accessed August 17, 2002]).

conflict as close to zero as possible. (This policy objective is motivated by the deep concern that conventional conflict, once started, may escalate into nuclear use.) Islamabad insists upon the distinction between insurgent and terrorist despite the fact that after September 11, 2001, few are receptive to such nuances.

Most observers have come to believe that Musharraf does not have the willpower to follow through on his promises to permanently stop the infiltration into Indian-held Kashmir. Moreover, many (if not most) observers and analysts are skeptical that he sincerely wants to move away from the long-held policy in light of India's staunch refusal to make any concessions to Islamabad and its unwillingness to countenance any of Islamabad's claimed equities in the dispute.

India's position is unfortunate. Musharraf *could* possibly be more aggressive on the Kashmir issue if India were to give him some diplomatic space within which to maneuver. However, many Indian interviewees have opined that they have little incentive to provide him such space, because Musharraf has done little to inspire confidence that he is sincere or that his claims are credible. Given New Delhi's deep-seated distrust in Musharraf arising from his involvement in the Kargil debacle, launched duplicitously at the same time as the diplomatic overtures in Lahore, Musharraf has a high hurdle to surmount.

Pakistan's support for the proxy war in India coupled with New Delhi's increasing willingness to flirt with limited conflict seems to ensure that crises such as those observed this past winter and spring will recur. Moreover, by most accounts Musharraf is walking a fine line by trying to keep the militants on "strategic reserve" for the long term while restricting their operations and vilifying them in the short term. Clearly, he made enemies of groups and individuals within the various "outlawed" groups, such as Lashkar-e-Taiba, Jaish-e-Mohammed, and Lashkar-e-Jhangvi. Consequently, we may expect attacks within Pakistan in efforts to destabilize both Musharraf and his regime. Militant attacks within India are also likely to recur, although Musharraf's regime will attempt to calibrate the violence to

avoid a major confrontation with New Delhi.<sup>84</sup> New Delhi, for its part, will be increasingly pressured domestically to deal with Pakistani perfidy with coercive instruments. Pakistan's support for militancy will therefore continue to jeopardize stability in the subcontinent.

It is unclear how uniformly security managers and policymakers understand that Pakistan's support for the insurgency has created and will continue to create problems for the country's own internal security. Pakistan's reliance upon militant groups has enabled the groups to continue expanding their presence within the state and has caused deep tensions with India. Islamabad must be persuaded, in a timely fashion, that simply turning its back on the Taliban and deliberately pursuing those militants that it deems to be dangerous while cultivating those who Islamabad believes act in its interest is a dangerous route that will put it directly on a collision path with the United States and other interested states. Islamabad should similarly be persuaded that this is an ideal opportunity to seriously reorient Pakistan back to the trajectory thought to be envisioned by Jinnah. Pakistan will likely not be presented with another justifiable excuse to disable the militants and their organizations. Moreover, should Pakistan steer a new course, the global community would likely reward it well.

U.S. efforts to de-hyphenate its relationships with India and Pakistan notwithstanding, the current situation with India will restrict the type of military equipment that the United States will be able to make available to Pakistan. The United States will not be inclined to provide Pakistan with lethal technologies unless U.S. goals are furthered by such provision. Consequently, Pakistan will receive (and has received) spare parts for U.S.-origin systems, such as C-130s and attack helicopters, to enable border operations.<sup>85</sup> However, as

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<sup>84</sup> It is notable that during fieldwork in Islamabad, Lahore, and Peshawar in July and August 2003, Pakistani interviewees believed that someone in the Pakistan army knew of and even authorized the December 13, 2001, attack on the Lok Sabha. They were less confident that Musharraf himself knew of and/or authorized the attack.

<sup>85</sup> The saga of the F-16s may require some explication. Pakistan paid for several F-16s that were not delivered following the 1990 Pressler Amendment Sanctions. This was a low point in U.S.-Pakistan relations. Pakistan argued that it should receive either the aircraft or a reimbursement. The United States argued that Pakistan understood the implications and motiva-

President Bush indicated in June 2003, Pakistan will not receive new F-16s that it has repeatedly requested.<sup>86</sup>

Although Pakistan has been generally supportive of U.S. operations, the state's domestic political situation has imposed certain key restrictions. Because of rampant anti-American sentiment, a vocal and active minority who either are militants or actively support militants, and in the face of risks to Musharraf's personal safety, Pakistan has wanted the United States to keep a small footprint on all aspects of its operations within and from the country.<sup>87</sup> This concern arose in a number of discussions regarding the specific airfields to be used by the United States, the type of equipment based at the airfields, the degree of permanence of the U.S. presence in Pakistan, the area of operations of U.S. troops, and the issue of hot pursuit.

Hot pursuit operations (that is, chasing fugitives from Afghanistan into the tribal areas of Pakistan) have been a highly sensitive issue. Because terrorist traffic in this rugged region is two-way, sealing the border between Pakistan and Afghanistan has been an enduring high priority for the United States. However, given the terrain and historically unprecedented buildup of Indian and Pakistani forces

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tions for invoking the Pressler Amendment Sanctions and that a refund was impossible because the planes had already been manufactured. Efforts failed to find a third-party purchaser, which would have allowed at least a partial reimbursement to Islamabad. Finally, President Clinton reimbursed Pakistan a portion of the purchase cost and provided a considerable amount of food assistance. Thus, from the perspective of Washington, this issue has been resolved. However, from the view of Islamabad, the resolution was not very satisfying. Pakistan continues to seek newer-generation F-16s to replenish its legacy systems.

<sup>86</sup> See U.S. Government, "President Bush Welcomes President Musharraf to Camp David, Remarks by President Bush and President Musharraf of Pakistan," June 24, 2003. Available at <http://www.whitehouse.gov/news/releases/2003/06/20030624-3.html> (last accessed October 11, 2003).

<sup>87</sup> Readers of earlier versions of this report were struck by the assertion that most Pakistanis are liberal or moderate and yet anti-Americanism is pervasive throughout Pakistan. (See above footnote on what it means to be liberal or moderate in the context of Pakistan.) However, these assertions are not seen as inconsistent among people in Pakistan. None of these notions of being liberal or moderate suggests that such persons have to be pro-American or even pro-West in their outlook. There are ongoing debates within Pakistan about what elements of modernity can be absorbed (technology, liberal democracy, etc.) without compromising what Pakistanis believe to be their core cultural values. This is explained at length in Fair and Vaidyanathan (forthcoming).

along the eastern border in 2002, Pakistan claimed that its armed forces were stretched beyond the limit.<sup>88</sup> Consequently, there has been compelling interest in hot pursuit of fugitives into Pakistan.

Hot pursuit was considered to be a last-resort option to be carried out only with the approval of Islamabad (according to Major General Franklin Hagenbeck).<sup>89</sup> In March 2002, a congressional delegation urged President Musharraf to permit U.S. forces to engage in hot pursuit. To deflect this request, Pakistani officials cited the arrest of some 300 suspected al Qaeda and Taliban fugitives, mostly at the border, to show that it was not necessary. Major General Rashid Qureshi, the government's chief spokesman, claimed that Pakistan had already "sealed its border" and Foreign Minister Abdul Sattar added that "There has been no need for U.S. forces to cross from the Afghanistan side into Pakistan territory."<sup>90</sup>

To accommodate both Islamabad's hesitance about permitting hot pursuit *and* the operational requirement to capture fleeing suspects, the United States has made effective use of the FBI for these operations. One notable example was the early April 2002 capture of Abu Zubaidah, the so-called right-hand man of Osama bin Laden, deep within Pakistan's Punjab province in Faisalabad. A composite FBI-Pakistan police team supervised by the FBI ultimately apprehended Zubaidah.<sup>91</sup> In March 2003, Khalid Shaikh Mohammed, a senior operative in Osama bin Laden's al Qaeda network, was captured along with two other men in Rawalpindi (outside of Islamabad).<sup>92</sup>

<sup>88</sup> Julian Borger, "Pakistan Sounds Border Warning," *The Guardian*, March 22, 2002. Available at <http://www.guardian.co.uk/pakistan/Story/0,2763,671851,00.html>.

<sup>89</sup> Ibid.

<sup>90</sup> Elliot Blair Smith, "US Officials Push for 'Hot Pursuit' Plan in Pakistan," *USA Today*, March 2, 2002.

<sup>91</sup> Tim McGirk, "In Hot Pursuit? Why the FBI Is Going After the Bad Guys in Pakistan But the US Military Won't," *CNN.com*, April 2, 2002. Available at <http://www.cnn.com/ALLPOLITICS/time/2002/04/08/pursuit.html>. Also see "Teams to Collect Details About Al Qaeda Men," *The Dawn*, April 2, 2002.

<sup>92</sup> See "Top Al Qaeda Suspect in U.S. Custody."



By the end of May 2002, Musharraf consented to joint operations in the tribal areas to apprehend fugitives. This decision generated anger and outrage among the local residents, who declared a willingness to do battle if the American soldiers did not leave soon. To placate this unrest, Musharraf claimed that the U.S. deployment consisted of barely a dozen communications specialists. However, tribal leaders insisted that the searches employed dozens of Special Forces commandos.<sup>93</sup>

Pakistan is also plagued by deep deficiencies within its law enforcement system. To enable Pakistan to be a more effective partner in locating, putting on trial, and prosecuting suspected terrorists, the United States has made substantial efforts to improve Pakistan's law and order infrastructure. One example of such engagement is the Joint Working Group on Counter Terrorism and Law Enforcement. This working group was convened in May 2002 in Washington, D.C., and was hosted by Assistant Secretary for International Narcotics and Law Enforcement Affairs Rand Beers, Coordinator for Counterterrorism Ambassador Francis Taylor, Assistant Secretary for South Asian Affairs Christina Rocca, and U.S. Department of Justice Deputy Assistant Attorney General Bruce Swartz. The Minister of Interior Moinuddin Haider headed the Pakistani delegation.<sup>94</sup> This meeting addressed issues of concern to the United States and Pakistan, including counternarcotics, counterterrorism, extradition, money laundering, human trafficking, reduction of demand for illegal substances, alternative development and poppy eradication, police and legal system reform, and the repatriation of Pakistani nationals held on visa violations.<sup>95</sup>

<sup>93</sup> Amir Mir, "Pak Tribals Warn of War Against US Tribals," May 23, 2002, *Rediff*. Available at <http://www.rediff.com/us/2002/may/23pak.htm>.

<sup>94</sup> Office of the Press Secretary, "Official Working Visit of President Musharraf of Pakistan: U.S. Programs to Assist the People of Pakistan," *Fact Sheet*, February 13, 2002. Available at <http://www.whitehouse.gov/news/releases/2002/02/20020213-10.html>. United States Department of State, "The Washington File: U.S.-Pakistan Joint Group on Counter-Terrorism Meets," May 8, 2002.

<sup>95</sup> *Ibid.*

According to observers of this working group, an important outcome was that U.S. officials came to appreciate the pervasive deficiencies that plague Pakistan's criminal investigation and law enforcement capabilities. For example, Pakistan does not have a forensics lab. Consequently, Pakistani authorities cannot collect the most basic evidence and assemble a case against a suspect. In addition to inadequate or nonexistent facilities, U.S. observers suggest that the training of Pakistani investigators be improved. The United States is attempting to provide training and facilities to enable Pakistan to more effectively investigate a crime, gather evidence, and bring suspects to trial. In addition, the United States is installing a database at the Karachi airport that will enable Pakistan to track individuals entering and leaving the country and identify suspected terrorists. It is hoped that this Terrorist Interdiction Program will go into the airports in Lahore and Peshawar as well as at major land border crossings.<sup>96</sup>

Another weakness is that Pakistan's financial woes will hinder it from becoming a robust military partner without financial concessions. Pakistan will not be able to afford significant foreign military sales (FMS). However, it is far from clear that FMS and military aid should be the first objective for Pakistan. There is the belief that Musharraf has to have something to show his army for reversing its position on the Taliban and trying to remain in Washington's good graces. While that may be true, individuals such as a former Pakistani defense attaché opined in February 2002 that what Pakistan desperately needs is educational reform, assistance with its wrecked economy, job creation for Pakistan's youth, madrassah reform, and access to markets.

Finally, the last few years have brought to light a number of serious allegations of direct Pakistani support to the nuclear programs of Iran, North Korea, and most recently, Saudi Arabia. The government of Pakistan has discounted all three of these stories and insisted that these reports are mere flights of fancy. Pakistan's refutations notwithstanding, it is believed that Pakistan provided North Korea

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<sup>96</sup> Conversation with the Pakistan Desk Officer at the United States Department of State in July 2002.

with gas centrifuge uranium enrichment technology in exchange for the North Korean No Dong, which is the technological basis of Pakistan's Ghaury missile. Evidence for such a swap occurred as early as the summer of 2000.<sup>97</sup> Media reports suggest that such exchanges could have occurred as recently as July 2002.<sup>98</sup>

In January 2003, *The Dawn* (a Pakistani newspaper) reported that "In 1986, Pakistan and Iran signed a nuclear cooperation agreement after Dr [A. Q.] Khan visited Bushehr, a nuclear power plant that Teheran is building with Russian help."<sup>99</sup> Other reports suggest that Iran obtained design information from Pakistan that it used to develop and construct gas centrifuges for the enrichment of uranium. This transfer of design information is thought to have occurred in the late 1980s and 1990s. Western intelligence sources indicate that Pakistan provided this assistance "virtually independently of Pakistan's civilian government, although civilian leaders were apprised of the transactions."<sup>100</sup> It should be noted that this was during a time when Iran and Pakistan enjoyed relatively good relations. (Benazir Bhutto's mother was Iranian and this could have occurred during her tenure.)

<sup>97</sup> See The International Institute for Strategic Studies, *Pakistan and North Korea: Dangerous Counter Trades*, Vol. 8, No. 9, November 2002. Available at <http://www.ceip.org/files/projects/npp/pdf/Pakistan%20and%20North%20Korea.pdf> (last accessed October 21, 2003); also see David Sanger, "Threats and Responses: Alliances in North Korea and Pakistan, Deep Roots of Nuclear Barter," *New York Times*, November 24, 2002. Available at <http://query.nytimes.com/gst/abstract.html?res=FA0714FE3A5D0C778EDDA80994DA404482> (last accessed October 21, 2003).

<sup>98</sup> See Sanger, 2002.

<sup>99</sup> Anwar Iqbal, UPI South Asian Affairs Analyst, "Father of Pakistan's Bomb in Trouble," January 8, 2003. Available at <http://www.washtimes.com/upi-breaking/20030108-021010-7063r.htm>.

<sup>100</sup> See Platts Global News, January 16, 2003, published at the website of the National Infrastructure Protection Center, NIPC Daily Open Source Report for January 21, 2003. Available at [http://www.nipc.gov/dailyreports/2003/January/NIPC\\_Daily\\_2003-01-21.pdf](http://www.nipc.gov/dailyreports/2003/January/NIPC_Daily_2003-01-21.pdf) (last accessed October 21, 2003). Also see Joby Warrick, "Iran Admits Foreign Help on Nuclear Facility: U.N. Agency's Data Point to Pakistan as the Source," *Washington Post*, August 27, 2003, p. A17. Available at <http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A50470-2003Aug26&notFound=true> (last accessed October 21, 2003).

More recently, evidence has surfaced that Pakistan concluded a secret agreement with Saudi Arabia on nuclear cooperation. According to a "ranking Pakistani insider," this agreement will provide Saudi Arabia with nuclear weapons technology in exchange for cheap oil. President Bush reportedly brought this issue to President Musharraf's attention during their summer Camp David meeting. Deputy Secretary of State Richard Armitage also confronted Islamabad with this issue during his trip in early October 2003.<sup>101</sup> However, these recent press reports curiously omit any reference as to when such an agreement was to have occurred. Speculation about Saudi Arabia and Pakistan cooperating on nuclear issues dates back at least as early as 1999—when Prince Sultan toured Pakistan's Kahuta uranium enrichment plant and received a brief from A. Q. Khan and then Prime Minister Nawaz Sharif.<sup>102</sup>

There have been a number of theories advanced to explain some of these transfers that mitigate the perception of state-level assistance. First, some posit that A. Q. Khan and his laboratory, Khan Research Laboratory, may be acting as an entrepreneur with cooperation from the military without formal authority from the government of Pakistan. However, this is seen as less plausible in light of the ground reality that the technical, financial, and strategic analyses of such a decision could not likely have been undertaken beyond the highest offices of state. Given the international political ramifications, it seems unlikely (but not impossible) that Khan would have acted alone. A second theory is that the North Koreans recruited Pakistani nuclear scientists. A third explanation is that such decisions occurred without civilian knowledge and/or approval. This story too has its detractors. The International Institute of Strategic Studies writes that while there is evidence that the civilian leaders "were unaware of the minutiae of the nuclear weapons programme, they were certainly privy to key de-

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<sup>101</sup> See Arnaud de Borchgrave, "Pakistan, Saudi Arabia in Secret Nuke Pact," *Washington Times*, October 22, 2003, p. 1.

<sup>102</sup> See GlobalSecurity.org, "Saudi Arabia Special Weapons," January 6, 2003. Available at <http://www.globalsecurity.org/wmd/world/saudi/> (last accessed October 23, 2003).

cisions and informed of important developments.”<sup>103</sup> Even well-placed Pakistanis discount the possibility that such exchanges could occur without the highest level of authorization.<sup>104</sup>

Nonetheless, few observers give these varied Pakistani denials credence and the concern looms that Pakistan may have made such technology available to a larger number of states than is known. While there is no evidence thus far that Pakistan has made fissile material available, it seems unlikely that Pakistan can successfully depict itself as a “responsible nuclear weapon state” in light of these reports—however dated they may be. So far, Washington has muted its public response to Pakistan’s contributions to the nuclear weapons programs of two founding states of the Axes of Evil—perhaps because many of these claims refer to the past. Nonetheless, this issue could become a convenient way to forgo efforts to form robust relations with Pakistan. These proliferation concerns may even embolden those stakeholders within the U.S. government and elsewhere who are critical of the U.S. alliance with Pakistan to more vocally oppose further cooperation with Islamabad.

### What Does Pakistan Expect from the United States?

Distrust of the United States, its intentions, and its staying power is pervasive in Pakistan.<sup>105</sup> As a consequence, many Pakistani and American officials concur that Pakistan’s continued ability to remain part of the solution—as opposed to part of the problem—is contingent upon the willingness of the United States (and other concerned states) to stay engaged in Pakistan and to help diffuse regional security competition. This is paramount because one potential post-Musharraf future for Pakistan is a state that has become wary of the

<sup>103</sup> See The International Institute for Strategic Studies, November 2002.

<sup>104</sup> Conversation with a U.S.-based retired brigadier from the Pakistan army who is well connected with Pakistan’s nuclear and missile programs.

<sup>105</sup> The Gallup Poll 2002, “Musharraf’s New Pakistan: What the People Think,” *The Herald*, February 2002, pp. 44–77.

United States, vexed with India, and marginalized once again on the world stage. Such a Pakistan may become recalcitrant and actively support militancy and other manifestations of terrorism while taking cover under its nuclear umbrella.

At the most basic level, what does Pakistan seek from the United States? According to Stephen Cohen, Pakistan seeks a more stable relationship with the United States. Cohen elaborates:

What has frustrated [the Pakistanis] very much is that the U.S. has rushed to Pakistan time and time again in the past, only to turn away. They're very concerned that we've shifted towards India, that we've chosen India completely over Pakistan. They would like to have a modest but stable relationship with Washington, whether it involves military ties or not is another question, but they certainly would like to see America engaged politically with Pakistan, and over a whole variety of issues besides Kashmir.<sup>106</sup>

Cohen's use of the term "modest" is curious and likely implies a skeletal structure of targeted engagement areas within which Islamabad expects stability and depth. Pakistan surely expected and continues to expect considerable financial and economic assistance in exchange for its willingness to participate in the OEF and the war on terrorism.<sup>107</sup> Another dimension of the relationship sought by Islamabad is politically consistent relations with the United States. Because of Islamabad's past and continuing policies toward the Taliban, its pursuit of militancy in Kashmir, its nuclear tests, its flagrant acquisition of nuclear and missile technology from North Korea and China, its alleged assistance to the nuclear programs of North Korea and Iran, and its incursion at Kargil, Pakistan has been isolated internationally and has had few bastions of support. Put inelegantly, Paki-

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<sup>106</sup> Stephen Cohen, "Brookings Expert to Hold Conference Call Previewing President Musharraf's Visit," Wednesday, February 12, 2002. Transcript available at [www.brook.edu/dybdocroot/comm/transcripts/20020212.htm](http://www.brook.edu/dybdocroot/comm/transcripts/20020212.htm).

<sup>107</sup> Ibid.

stan needs a friend and it hopes to rekindle the friendship that most Pakistanis believe characterized U.S.-Pakistan relations in the past.<sup>108</sup>

Additionally Pakistan seeks to be recognized and respected as a stable "Islamic state." Pakistanis take umbrage with the characterization of Pakistan as a radicalized, irrational, fundamentalist Islamic state. Rather, Pakistanis on the main regard themselves as moderates and see themselves as a modern Islamic state that could—if rehabilitated to the vision of its founder, Jinnah—offer a model for the rest of the Islamic world.<sup>109</sup> While Jinnah did not commit his vision of Pakistan to paper, it is widely believed based upon his speeches that he sought a *secular state for Muslims* with a functioning liberal democracy.<sup>110</sup>

Pakistan wants, needs, and expects that the United States and the international community will enable it to reorient itself. The United States has pledged considerable resources to enable Pakistan to better contend with its domestic situation. Indeed, the United States and the international coalition against terrorism likely see state building in Pakistan as a critical component to undermining terrorist action.

### Human Development and Domestic Stability

The United States has promised several initiatives to address the low level of human development and domestic political instability in Pakistan, including:

- Democracy assistance: The United States provided \$2 million for technical support for the October 2002 legislative elections. These funds will help to train election commissioners, domestic

<sup>108</sup> As Kux (2001) points out, this friendship was never as robust as is commonly believed.

<sup>109</sup> Cohen, February 12, 2002.

<sup>110</sup> This judgment is based upon the author's extensive fieldwork in Pakistan in the winter of 2000 for a RAND-sponsored project (see Tellis, Fair, and Medby, 2001) and upon numerous other trips to Pakistan since 1991. Stephen Cohen also discussed this in a press conference on February 12, 2002.

observers, and political party monitors. It will also help to fund the provision of election commodities.

- Educational assistance:
  - The United States pledged \$34 million for educational support in FY 2002. This is meant to be the beginning of a multiyear \$100 million program to help Pakistan rebuild and reform its emaciated public education. This is a multi-agency initiative supported by United States Agency for International Development and the Departments of State, Labor, and Education.
  - The Department of Education will provide \$800,000 in grants to enable school districts to use technology and to promote educational exchanges between schools in the United States and Pakistan.
- Child labor and vocational training: In FY 2002, the Department of Labor provided \$5 million in grants. These funds will target child labor and provide vocational training for youth in the Punjab.<sup>111</sup>

### **Economic and Financial Rehabilitation**

Pakistan's economy has been the subject of concern for years. The World Bank notes that Pakistan emerged from the late 1990s in a "position of extreme vulnerability." After a decade of inward-looking policies, Pakistan began a significant economic reform program after Musharraf's ascent to power. It has achieved considerable improvements, in the estimation of the World Bank. Part of Pakistan's macroeconomic recovery stems from the massive loan concessions it received after the attacks of September 11 (as discussed below) and because remittances are more likely to be funneled through official banking channels, rather than the hawala channels. Furthermore, Pakistan's Gross Domestic Product grew by some 5.1 percent in

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<sup>111</sup> Office of the Press Secretary, "Official Working Visit of President Musharraf of Pakistan: U.S. Programs to Assist the People of Pakistan," *Fact Sheet*.



2002/2003, which is slightly higher than its population growth rate of 3 percent.<sup>112</sup>

Pakistan's external and public debt is enormous despite these improvements. The ratio of Pakistan's external debt to its gross national product is 53.7 percent—the highest in the region. In contrast, the ratio is 33.3 percent for Bangladesh and 21.1 percent for India.<sup>113</sup> Owing to Pakistan's enormous debt load, concerns abound about the fragility of its external position and its prospects for sustained future growth. Pakistan's ongoing political instability continues to dampen potential investor interests and prospects for foreign direct investments.<sup>114</sup>

Pakistan also lags behind other peer states in terms of key social indicators. For example, the World Bank reports that only 44 percent of all Pakistanis are literate compared with 64 percent for countries with similar per capita income. Economists aver that Pakistan will not be able to tackle its massive development challenges without fully developing its human capital, improving the country's investment climate, and increasing productivity growth to 5 to 6 percent. (This is the growth rate thought to be required to significantly reduce poverty in Pakistan.) The World Bank also suggests that in addition to these enormous hurdles, Pakistan faces a greater challenge, "that of its transformation—politically, economically, socially, and with respect to gender—to a modern state."<sup>115</sup>

<sup>112</sup> This information draws from the World Bank Group, *Country Brief: Pakistan*, August 2003 (available at <http://lnweb18.worldbank.org/sar/sa.nsf/0/e446d9087f72838e85256b02006cbff4?OpenDocument>, last accessed October 13, 2003) as well as from a conversation with a Pakistani senator in June 2003 about the impact of rerouting funds away from hawala and through formal banking channels.

<sup>113</sup> Mansoor Ahmad, "Pakistan's External Debt Highest in Region: IMF Study," *The Nation*, July 17, 2003. Available at <http://www.nation.com.pk/daily/July2003/17/business/bn1.asp>.

<sup>114</sup> This information draws from the World Bank Group (August 2003) as well as from conversations in September 2003 with officials from the U.S. Chamber of Commerce.

<sup>115</sup> This information draws from the World Bank Group (August 2003) as well as from a conversation with a Pakistani senator in June 2003 about the impact of rerouting funds away from hawala and through formal banking channels.

Resuscitating Pakistan's economy is a necessary—albeit insufficient—step in contending with Pakistan's pervasive internal security challenges. In this regard, the United States has pledged considerable support. For example, in FY 2003, President Bush said that he will work with Congress to provide Pakistan with roughly \$1 billion in debt relief. In addition, during President Musharraf's visit, both presidents agreed to institutionalize discussions on economic cooperation between the two countries through the establishment of a Joint Economic Forum. Further, the Overseas Private Investment Company (OPIC) will provide loans up to \$150 million for oil and gas projects.<sup>116</sup>

Pakistan also wants expanded access to U.S. markets. Despite President Bush's agreement with Musharraf to provide increased market access for approximately \$142 million in Pakistani apparel exports,<sup>117</sup> this remains an important and contentious issue for Pakistan. According to a high-ranking diplomat at the Embassy of Pakistan in Washington, D.C., Burma has a more favorable textile market access than does Pakistan. He also noted the programs instituted for Jordan after the Gulf War—tariffs were reduced and quotas increased—and remarked that Pakistan should be equally deserving of such programs.<sup>118</sup>

#### **Assistance in Fortifying Its Internal Security Arrangements**

Pakistan must be enabled to contend with its internal security problems and to be a more effective partner in locating, putting on trial, and prosecuting suspected terrorists. This type of assistance, according to both Pakistan and American authorities, is highly desired by Pakistan. As noted above, the United States is also endeavoring to improve Pakistan's law and order infrastructure through the Joint Working Group on Counter Terrorism and Law Enforcement.

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<sup>116</sup> Office of the Press Secretary, "Official Working Visit of President Musharraf of Pakistan: U.S. Programs to Assist the People of Pakistan," *Fact Sheet*, February 13, 2002.

<sup>117</sup> *Ibid.*

<sup>118</sup> Conversations with high-level diplomatic representation at the Embassy of Pakistan, Washington, D.C., July 2002.

According to officials at the U.S. Department of State, some \$3 million was dedicated in FY 2002 to counterterrorism and law enforcement. These allocations will assist Pakistan in establishing a criminal investigation unit division in Karachi. It is hoped that the Karachi facility will be the first of a series of such investments.<sup>119</sup> Pakistani investigators invited to the United States for training will in turn train others in Pakistan and hence buttress the state's law enforcement capabilities.<sup>120</sup>

#### **Expanded Military-to-Military Ties**

Pakistan has sought to acquire such platforms as F-16s and C-130s as well as spare parts for its U.S. systems that have been unavailable since sanctions were imposed. (However, some spare parts have been freed to support the OEF and Pakistan's support of the war on terrorism. On other occasions, some spare parts were reportedly made available to support Pakistan's participation in peacekeeping operations.) Pakistani sources also express an interest in renewing increased military-to-military contacts through the IMET program, subject-matter exchanges, and through staff exchanges at the staff and war colleges.

To develop the military relationship, the United States and Pakistan reconvened the Defense Consultative Group (DCG) in late September 2002. Pakistan pressed forward with its request for F-16s, the P-3 Orion, and helicopters. With respect to the issue of spare parts, a senior official said, "If the Americans want to oblige Pakistan in return to the role Islamabad has played in the U.S.-led war against terrorism, the Bush administration must restart supply of spares for military hard wares [sic] to our armed forces."<sup>121</sup>

<sup>119</sup> Conversation with the Pakistan Desk Officer at the United States Department of State in July 2002.

<sup>120</sup> Conversations with high-level diplomatic representation at the Pakistani Embassy, Washington, D.C., July 2002.

<sup>121</sup> Shakil Shaikh, "Pak-U.S. DCG Optimistic About Revitalising Ties," *The News International*, September 27, 2002. Available at <http://www.jang.com.pk/thenews/sep2002-daily/27-09-2002/main/main3.htm> (last accessed October 7, 2002).

Sidestepping this issue, a Washington spokesperson expressed the hope of the United States that "relations between the two countries would be further strengthened when exchanges between the military training personnel would take place."<sup>122</sup> The spokesperson also explained that the DCG "would make substantial headway in the defence cooperation by arriving at decisions, which are to the benefit of both the countries enjoying remarkable bilateral relations."<sup>123</sup>

#### **Pakistan Seeks Recognition of Its Regional Equities**

Pakistan's long-held position on Kashmir and India's refusal to recognize Pakistan's equities in the Kashmir dispute continue to compel Pakistan to pursue courses of action that imperil conventional stability in the region.<sup>124</sup> The new thrust of U.S. policy toward India and Pakistan is that the United States will proceed on terms independent of the other country. (In the past, the United States would demur from engaging Pakistan if it could not engage India similarly, and vice versa. This approach was a long-standing irritant to both Islamabad and New Delhi. Efforts to pursue truly independent relations with both have been referred to as the "de-hyphenation" of relations with Pakistan and with India. These efforts notwithstanding, the disputed region of Kashmir is the hyphen, which makes a completely delinked policy in practical terms impossible.)

Because of its security competition in the subcontinent, Pakistan views the emerging relationship between the United States and New Delhi with much caution. Such apprehension is mirrored in New Delhi, where India views the U.S. reliance upon Pakistan in the war on terrorism with considerable scorn and skepticism.<sup>125</sup> Relations with these two bitter rivals cannot truly be decoupled in practice until

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<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

<sup>124</sup> See Tellis, Fair, and Medby, 2001; and Tellis, 1997.

<sup>125</sup> Arora Vasantha, "Hathaway, Veteran Capitol Hill Staffer, Addresses IACPA Interns," *News India*, July 23, 2002. Available at <http://www.newsindia-times.com/2002/08/23/usa-8-iacpa.html> (last accessed August 19, 2002).

the major source of security competition between them is resolved—that is, the disposition of Kashmir.

Pakistan hopes and expects that as the United States continues to improve relations with both Pakistan and India simultaneously that it may develop a greater efficacy in bringing a resolution to this 50-year-old quagmire.<sup>126</sup> Pakistan expects to be a part of consultations on peace and security in South Asia as was discussed during President Musharraf's visit to the United States.<sup>127</sup>

Pakistan also hopes that its equities in Afghanistan will be acknowledged. Over the long term, geography requires Islamabad and Kabul to live together peacefully. Since the onset of operations in Afghanistan, Islamabad has kept a low profile there both to diminish the rampant hostility toward Pakistan now in Afghanistan and also to diminish international opprobrium over its past Afghanistan policies.<sup>128</sup> However, Pakistan has and will continue to have a significant stake in the outcome in Afghanistan and seeks a regime in Kabul that does not confront Pakistan over the Durand Line or encourage Pathan irredentist claims to an independent Pakhtunistan.

Pakistan is also concerned that the hasty American retreat in 1989 will be repeated. After the U.S. withdrawal from the region, Pakistan was left with an extensive law and order problem with few resources with which to deal with it. Pakistan has numerous well-founded concerns about the fate of Afghanistan after the United States and the international community withdraw. While both President Musharraf and President Bush agreed that Pakistan would be included in consultations on the future of Afghanistan, many in Pakistan wonder if the international community will do enough or whether there is the staying power and wherewithal to deal with the root problems within the region. In this regard, many in Pakistan fa-

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<sup>126</sup> Discussions with high-level diplomatic representation at the Embassy of Pakistan in Washington, D.C., during the fall of 2001 as well as the spring and summer of 2002.

<sup>127</sup> Office of the Press Secretary, "Official Working Visit of President Musharraf of Pakistan: U.S. Programs to Assist the People of Pakistan," *Fact Sheet*.

<sup>128</sup> Conversations with high-level diplomatic representation at the Embassy of Pakistan in Washington, D.C., in February 2002.

vor a regional Marshall Plan that would address state building not only in Afghanistan but also in Pakistan. Such a position recognizes that the fates of these two states are in many ways inextricably linked to each other and to other states in the region.

Another area of concern for Pakistan in relation to Afghanistan is Kabul's historic and robust ties with New Delhi. Many in the current Afghani leadership were educated in India and still have both close and extended families living in India. Such concerns trigger fears in Islamabad of "strategic encirclement" and motivated Pakistan to back the odious Taliban regime in the first instance. A regime in Kabul that incorporates Pathan representation and is not hostile to Islamabad will be key to deterring Pakistan from meddling in Afghani affairs over the long term.

## Summary

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Despite quixotic military relations with the United States, broad domestic resentment of the United States for a myriad of reasons, and deep-seated distrust of the regional objectives of the United States in and commitment to South Asia, President Musharraf joined the war on terrorism. His support and that of Pakistan has been critical to the success of Operation Enduring Freedom. This support has been extensive including access to air space, bases, and ports as well as significant dedication of POL assets and manpower.

Even though Pakistan has been a critical state in the war on terrorism, it is unclear how long Pakistan can or will continue to play a constructive role unless it is willing to abandon its Kashmir policy. Pakistan has been able to abandon its decades-old policies in Afghanistan, but it has been unable to do so with respect to Kashmir. Islamabad is pursuing its proxy war in Indian-held Kashmir (and beyond into India proper) with determination. While this policy has had deleterious consequences for Pakistan's own internal security problems, it has also exacerbated New Delhi's impatience with Islamabad's misadventures in Kashmir. Given the U.S. interest in pursuing enhanced ties with New Delhi, in routing out terrorists, in degrading

the ability of terrorist groups to operate and project power, and in diminishing the prospects for Indo-Pakistan conflict, Islamabad's course of action is not tenable in the long run and will bring it into conflict with Washington, sooner rather than later.

Moreover, the likelihood is high that Islamabad will be disappointed with its rewards for contributing to OEF. Surely, Pakistan seeks a bigger role for the United States in resolving the Kashmir issue. Pakistan, as indicated by remarks made at the most recent DCG, may want military assistance that the United States is unwilling to provide. The Pakistani populace may also be disappointed with the United States if it "abandons" the region without leaving visible and palpable improvements. Indeed, should the United States fail to improve the lives of Afghans and Pakistanis, the U.S. presence in Afghanistan and Pakistan may serve as an "object lesson" about the perils of U.S.-backed regime change in the region and beyond.

## **India: Long-Term Partner in Counterterrorism**

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Although India is not a formal military partner in the global war on terrorism, it has been an important diffuse partner. Many of the instruments through which India has cooperated with the United States in counterterror initiatives predate the events of September 11. In fact, both states were coming to see themselves as natural strategic partners, and similar perceptions of the terrorist threat were one of the drivers of this nascent realization. While the Indo-U.S. relationship has taken on new depth and breadth, it is a relatively new relationship for the two states. Furtive attempts at initiating robust bilateral ties in the past largely floundered, for a host of reasons. In the next section of this chapter, the historical features of the Indo-U.S. relationship are detailed.

In the face of numerous Cold War antagonisms, both states are moving ahead in a changed global security environment. Against a backdrop of historical differences, India's strategic and diplomatic contributions to the war on terrorism are impressive, as is seen in the third section of this chapter. The fourth section narrates areas of convergent threat perception shared by the United States and India that animate this new strategic relationship. There are also critical areas of difference such as Pakistan and its pursuit of proxy war in Indian-held Kashmir and beyond. The fifth section of this chapter exposit some of India's numerous expectations from its newfound strategic relationship with the United States. As we describe, some of these anticipated prospects (e.g., a permanent seat on the United Nations



Security Council) loom as potential sources of frustration as the two nations continue to develop their bilateral relationship. This chapter concludes with a summary of the key arguments.

### Historical Overview of Indo-U.S. Relations

The history of Indo-U.S. relations has been a turbulent one, characterized by largely different threat perceptions and assessments of security requirements. As was the case with Pakistan, throughout most of India's independent history, the United States sought to establish a bilateral relationship that was dictated by American Cold War containment policies. The early U.S. strategy aimed to strengthen both India and Pakistan to defend themselves against *external* attack (e.g., from the communist forces of the Soviet Union or China after 1949) and from *internal* attack from communist-led insurrection and subversion. The United States also sought to obtain bases and facilities in these states that would allow the U.S. forces operational access.<sup>1</sup>

New Delhi deeply resented the "military aspects of American alliance policy . . . [which established] a strategic and moral equivalence between India and Pakistan . . . that was not justified by the objective military, economic, and strategic capabilities of the two states."<sup>2</sup> As an ally of the United States, Pakistan received considerable hardware and extensive technical training and support.<sup>3</sup> India's vexation with Washington peaked when President Nixon ordered the USS *Enterprise* to the Bay of Bengal to show support for Pakistan during the 1971 war.

Indo-U.S. bilateral relations were further strained by India's 1974 decision to conduct a peaceful nuclear explosion (PNE), which

<sup>1</sup> Stephen Cohen, "India and America: An Emerging Relationship," a paper presented to the *Conference on the Nation-State System and Transnational Forces in South Asia*, Kyoto, Japan, December 8–10, 2000; Robert McMahon, *Cold War on the Periphery: The United States, India, and Pakistan*, New York: Columbia University Press, 1994.

<sup>2</sup> Cohen, "India and America: An Emerging Relationship."

<sup>3</sup> Ibid.

motivated the United States to pursue numerous nonproliferation instruments both to make further development in the Indian program difficult and to deter aspiring proliferators.<sup>4</sup> India argued and continues to argue that its nuclear security concerns stem from threats from Pakistan and China.

### **Soviet Invasion of Afghanistan: New Opportunities for the United States and India**

The Soviet invasion of Afghanistan offered an unexpected window of opportunity for the United States and India to embark upon a rapprochement. The invasion undermined New Delhi's assertions that the Soviet Union was harmless and harbored no territorial aspirations. Moreover, the invasion directly undermined India's stated sovereignty over her "extended backyard," as articulated in the Indira Doctrine.<sup>5</sup> Despite the prime minister's public silence, privately she acknowledged that the invasion not only undermined the sovereignty of India's strategic environment but also revived a security relationship between Islamabad and Washington that had been largely dormant for 15 years.<sup>6</sup> New Delhi at this juncture was interested in di-

<sup>4</sup> Examples are the Nuclear Non-Proliferation Act of 1978, the Arms Export Control Act of 1979, and the Export Administration Act of 1979. In addition, the United States participated in multilateral regimes such as the Zangger Committee, Nuclear Suppliers Groups, and the Missile Technology Control Regime to slow development of Indian nuclear and missile development programs. See Congressional Research Service, *India-Pakistan Nuclear and Missile Proliferation: Background, Status, and Issues for U.S. Policy, Foreign Affairs and National Defense Division*, Environment and Natural Resources Policy Division, December 16, 1996, pp. 56-57.

<sup>5</sup> Called India's "Monroe Doctrine," it was promulgated by then Prime Minister Indira Gandhi. Under this so-called Indira Doctrine, India maintained that the problems in the region should be resolved bilaterally and that external powers have no role in the region. This "principle" became "a matter of faith for Indian foreign policy makers." See C. Raja Mohan, "Beyond India's Monroe Doctrine," *The Hindu*, January 2, 2003. Available at <http://www.meadev.nic.in/opn/2003jan/2hin1.htm> (last accessed October 13, 2003).

<sup>6</sup> In 1980, New Delhi virtually excused the invasion by referencing "outside interference," by which New Delhi implied interference from Washington. India's objections did become stronger as the invasion persisted, but still fell short of any response deemed sufficient by Washington. For example, in 1982, the Foreign Ministry argued in its annual report that there should be a settlement "through negotiations among the parties concerned on the basis of withdrawal of foreign troops, stoppage of all forms of outside interference [read Ameri-

versifying its defense supply and diminishing its dependence upon the Soviet Union for weaponry, which, while easy to use and maintain, was not considered to be as sophisticated or effective as American arms.<sup>7</sup>

From Washington's view, there appeared to be an opportunity to capitalize upon subtle rifts that had emerged between New Delhi and Moscow. It was thought that the promise of enhanced Indo-U.S. ties could both counter New Delhi's apprehension over the security relationship with Islamabad and also entice New Delhi to wean itself from its dependence upon Moscow.<sup>8</sup>

One of the initial efforts began when Mrs. Gandhi met President Reagan in Cancun at the North-South Economic Summit. Subsequent to this amicable tête-à-tête, Prime Minister Gandhi was invited to Washington in 1982, at which time she and President Reagan signed the Science and Technology Initiative (STI). The STI was an important step toward the formulation of another initiative that would usher a watershed in Indo-American relations: the 1984 Memorandum of Understanding on Sensitive Technologies, Commodities and Information (henceforth referred to as the 1984 MOU), signed by Rajiv Gandhi.<sup>9</sup> Although the practical utility of this instrument can be debated, its symbolic value is notable in that it was signed during the height of the Cold War when U.S. officials were

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can], and preservation of the independence, sovereignty, territorial integrity and non-aligned status of Afghanistan" (Satu Limaye, *U.S.-Indian Relations: The Pursuit of Accommodation*, Boulder, Colo.: Westview Press, 1993, p. 28). For a more general set of treatments about U.S. bilateral relations with India, see Dennis Kux, *Estranged Democracies: India and the United States 1941-1991*, Washington, D.C.: National Defense University Press, 1993; Kanti P. Bajpai and Amitabh Mattoo (eds.), *Engaged Democracies: India-U.S. Relations in the 21st Century*, New Delhi: Har-Anand, 2000; and Cohen, "India and America: An Emerging Relationship." For a discussion of U.S. bilateral relations with Pakistan, see Kux, *Disenchanted Allies: The United States and Pakistan 1947-2000*.

<sup>7</sup> Jyotika Saksena and Suzanne Grillot, "The Emergence of Indo-US Defense Cooperation: From Specific to Diffuse Reciprocity," in Gary Bertsch, Seema Gahlaut, and Anupam Srivastava (eds.), *Engaging India: U.S. Strategic Relations with the World's Largest Democracy*, New York: Routledge, 1999.

<sup>8</sup> Ibid.

<sup>9</sup> See Limaye, p. 27, and Sidhu, p. 40; also see Saksena and Grillot.

leery of the presence of Soviet scientists working with their Indian counterparts.

While deep bureaucratic differences and cumbersome and confusing implementation procedures hindered the pace of developments, the volume of technology transfers and co-production agreements expanded dramatically. This expansion was accompanied by a qualitative improvement in the types of projects facilitated by the MOU.<sup>10</sup> However, a persistent problem with the 1984 MOU process was that from India's perspective the utility of the MOU was both technical and political, and India assessed the outcome of the relationship according to the pace of technology transfer. The United States, for its side, did not heavily prioritize technology transfer and focused instead on the political consequences of the nascent relationship.<sup>11</sup>

### **India Searches for New Options After the Cold War**

By the end of the Cold War, Washington largely understood the MOU to have become defunct, but the new era offered new opportunities for Indo-U.S. bilateral relations. With the termination of the security relationship with Pakistan and the collapse of the Soviet Union, Washington thought that New Delhi might be amenable to strengthening ties with the United States. New Delhi was in fact favorably inclined. India's enthusiasm was due in part to the much-diminished standing of Moscow and in part to the devastation of Soviet-origin hardware at the hands of the only global superpower during the 1991 Gulf War. Apart from a changed security environment, there were other changes afoot in the Indo-U.S. bilateral relationship. After Rajiv Gandhi initiated a series of economic reforms that were furthered by Prime Minister Rao in 1991, India was de-

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<sup>10</sup> For more information, see Limaye, Chapter 6; also see Raja Thomas, "U.S. Transfers of 'Dual-Use' Technologies to India," *Asian Survey*, Vol. 30, No. 3, September 1990, pp. 825-845; and Saksena and Grillot.

<sup>11</sup> Waheguru Pal Singh Sidhu, "Enhancing Indo-U.S. Strategic Cooperation," *Adelphi Paper* 313, 1997, p. 42.

clared an emerging market and American investment in India was encouraged at the highest level.

In 1991, Commander U.S. Army Pacific General Claude Kicklighter initiated another milestone that has become known as the Kicklighter Proposals and began a new chapter in Indo-U.S. security cooperation. Even though the proposals were restricted to army-to-army relations, they contributed to a considerably improved atmosphere.<sup>12</sup> In the 1990s, Indo-U.S. security cooperation expanded despite the absence of a dedicated framework to do so. Notably, the Indian government permitted U.S. military aircraft to refuel in India during Operation Desert Storm en route from the Pacific to the Southwest Asia theater.<sup>13</sup>

The rapport established by the Kicklighter Proposals gave way to the 1995 "Agreed Minute on Defense Relations" (henceforth "Agreed Minute"). The Agreed Minute has been described as a "true watershed" in U.S.-India military-to-military relations.<sup>14</sup> It emphasized the fundamental importance of military ties in the overall bilateral relationship and outlined a tripartite framework for military relations that continue to structure military-to-military relations. Each of these components is given below:<sup>15</sup>

- The Defence Policy Group (DPG) facilitated closer engagement among civilian defense leadership. The DPG provides strategic guidance to the other two "legs" of the framework.
- The Executive Steering Groups (ESGs) sought to establish more robust contacts among the uniformed services. Thus, three

<sup>12</sup> Shekhar Gupta, "India Redefines Its Role," *Adelphi Paper* 293, Oxford: Oxford University Press, 1995, pp. 59–60 (cited in Ravi Tomar, *India-U.S. Relations in a Changing Strategic Environment*, Research Paper No. 20 2001-02, Information and Research Services, Department of the Parliamentary Library, 2002, p. 7).

<sup>13</sup> Tomar, 2002.

<sup>14</sup> See text of the Indo-U.S. Agreed Minute on Defence Cooperation, January 12, 1995, cited in Colonel Steven Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications," thesis submitted to the National Defence College, New College, New Delhi, 2001.

<sup>15</sup> *Ibid.*

service-to-service groups were formed to facilitate interservice contacts between the two armies, navies, and air forces.

- The Joint Technical Group (JTG) sought to enhance cooperation in defense research and production and took its guidance from the ESGs. It explores areas of research and production.<sup>16</sup>

As with the 1984 MOU, the metrics of success used by Washington and New Delhi were very different and each side had different objectives to be achieved from closer security ties. According to Sidhu, India saw

The defense relationship as a five-tier pyramid, with technology transfer as the base, followed by joint development, co-production, straight purchase of weapons and, at the apex, military-to-military cooperation. The U.S. perception of the pyramid is the exact inverse. Washington insists that strategic cooperation is the base of any relationship, with technology transfer at the top of the pyramid.<sup>17</sup>

Despite the problems presented by these different perspectives, there were significant developments. Service-to-service contacts reached an unprecedented level of interaction. The DPG met in both September 1995 and October 1996. The air forces established a pilot exchange program in 1996. Both navies began a series of joint exercises in the Indian Ocean called Malabar, which were held in 1995 and 1996 (Malabar I and Malabar II). U.S. Army officers attended the Indian Army's Junior Command and Engineer Company Commanders' courses and trained at the Counter Insurgency Jungle Warfare School. India's IMET budget doubled between 1995 and 1998.<sup>18</sup>

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<sup>16</sup> Ibid.

<sup>17</sup> Sidhu, p. 50. Sidhu also cites a senior Pentagon official who explained that the slow progress in Indo-U.S. technology transfer is due to the United States being in a "sell mode" rather than a cooperating mode and that "U.S. arms transfers come with political baggage. There has to be some common strategic goal which does not exist at the moment between India and the U.S." (p. 50, reporting on his February 1997 interviews in the Pentagon).

<sup>18</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications." Also see Tomar, 2002.

In addition, India acquired significant military hardware, including precision-guided munitions for the Indian Air Force, a submarine rescue contract, and pilotless target aircraft and periscopes for Howaldtswerke (HDW) submarines.<sup>19</sup>

Bilateral relations were solidly improving in fora other than military-to-military engagement as well. In 1997, the U.S. State Department began an extensive series of engagements at the cabinet-ministry level under the umbrella of the Strategic Dialogue, which was to culminate in a presidential visit early in 1998. Even though the United States and India were experiencing a new level of engagement, India's decision to resume nuclear testing in 1998 (Pokhran II) brought about an abrupt termination of both the military-to-military relations and an indefinite suspension of the Strategic Dialogue and presidential visit.<sup>20</sup>

India's decision to resume testing brought a number of U.S. (and international) sanctions. Pursuant to the policy guidance promulgated in July 1998, most forms of significant military-to-military engagement were terminated. Only professional exchanges and the pilot exchange program that were already in progress were permitted to continue. The service-to-service ESGs were suspended, as were all initiatives that were proposed under the JTG. The U.S. Department of Commerce also issued an "Entities List" that proscribed U.S. companies from dealing with targeted Indian companies.<sup>21</sup>

Observers of the Indo-U.S. relationship were puzzled as to why New Delhi would conduct tests in 1998 in the midst of long-sought strides in its Washington relationship. Although it is not the objective of this monograph to explore India's decision calculus in depth, it may be useful to provide some insights to explain the state's resumption of testing. In 1998, the Hindu nationalist party, the BJP, came to power with a broad mandate. Its leadership assessed that the inter-

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<sup>19</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications." Also see Tomar, 2002.

<sup>20</sup> Tomar, 2002.

<sup>21</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications."

national community was growing increasingly hostile to efforts of non-Nuclear Weapons States to attain nuclear weapons. Because India's 1974 tests were less successful than originally claimed, India believed that it would have to test again if it wanted such a capability.<sup>22</sup>

What is notable is that every Indian prime minister since 1974 tried to resume testing, but the United States and other international actors deterred each from doing so. What was different about the BJP government? One important difference is that the other governments believed that the option to resume testing would be available. Therefore, there was little need to bring upon New Delhi international opprobrium unnecessarily. In 1998, New Delhi began to see things very differently. It saw that the Nuclear Nonproliferation Treaty had been indefinitely extended in 1996. A Comprehensive Test Ban Treaty as well as a Fissile Material Cutoff Treaty seemed certain. India understood that its window of opportunity to resume testing was closing fast. India's strategic enclave assessed that the costs that would be imposed upon New Delhi for testing would be less than the opportunity costs of not testing years later. Some have argued that even had the BJP not come to power, India may have tested in 1998.<sup>23</sup>

In 1999, the author interviewed a wide array of U.S. government officials on why efforts to deter India from testing had worked in previous periods but not in 1998. Most of those officials expressed the view that India did not believe that the relations it had with the United States could compensate it for the lost opportunity to exercise its nuclear option. Most also thought that India had unswerving faith that ensuing sanctions would be transitory. In its net assessment, India believed that the benefits of testing outweighed both the direct

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<sup>22</sup> Tellis and Fair have elaborated upon the Indian decision calculus to resume testing in a draft paper. Parts of our argument are available in Gregory F. Treverton, *Framing Compellent Strategies*, Santa Monica, Calif.: RAND Corporation, 2000. See also Ashley J. Tellis, *India's Emerging Nuclear Posture: Between Recessed Deterrent and Ready Arsenal*, Santa Monica, Calif.: RAND Corporation, 2001.

<sup>23</sup> Ibid.



and opportunity costs of not testing. History has shown that India's assessment was more correct than wrong.<sup>24</sup>

### **President Clinton Revives Indo-U.S. Relations**

In 2000, several developments brought a sea change in Indo-U.S. views relations. First, as a result of the tests, the United States and India began an extensive and comprehensive strategic engagement. It is ironic that the most significant strategic engagement was brought about by India's bold confrontation of U.S. nonproliferation policy. A notable outcome of this dialogue was that the United States abandoned (albeit quietly) its formal policy of "cap, roll-back, and eliminate" for South Asia. The second significant event that permitted better Indo-U.S. ties was Pakistan's foray into Kargil. The international community lauded the restrained manner in which India handled the incursion.<sup>25</sup> Pakistan's disastrous Kargil operation gave the United States an opportunity to publicly voice its distaste for Pakistani misadventures. New Delhi interpreted Washington's handling of Islamabad as decisively "pro-Indian." Significantly, the U.S. response to Pakistan's land grab along the line of control demonstrated to New Delhi that U.S. involvement in the South Asian subcontinent was not necessarily corrosive to New Delhi's interests. Musharraf's October 1999 coup also motivated Washington to distance itself further from Islamabad.

On the heels of the Kargil conflict, there was a new impetus to Indo-U.S. security cooperation. On July 30, 1999, the U.S. Department of Defense modified its year-old policy on defense contacts with India, ushering in a number of high-level military-to-military visits including a November 1999 visit of then Indian army chief General Malik to Washington and Hawaii (U.S. Commander-in-Chief Pacific, USCINCPAC) and a January 2000 visit to India by USCINCPAC Commander Admiral Blair. By February 2000, the U.S. Department of Defense proposed a new initiative for U.S.-India

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<sup>24</sup> Ibid.

<sup>25</sup> See Tellis, Fair, and Medby, 2001.

military-to-military engagement, which was closely followed by President Clinton's five-day stay in India in March 2000.<sup>26</sup>

The central message of Clinton's visit was that that U.S. policy toward South Asia was no longer constrained by Cold War concerns and that both states could cooperate on the new challenges of terrorism, the spread of democracy, and the fostering of a fair global economic order.<sup>27</sup> While in India, President Clinton and Prime Minister Vajpayee signed what is popularly called the "Vision Statement," which documented the mutual "resolve to create a closer and qualitatively new relationship between the United States and India . . . [on the basis of] common interest in and complementary responsibility for ensuring regional and international security."<sup>28</sup>

The Vision Statement articulated a comprehensive framework for strengthening and institutionalizing the commitment to form stronger bilateral ties. In addition to a range of commercial and economic bilateral fora, the statement committed both sides to hold regular summit meetings and to conduct an annual foreign policy dialogue at the level of Secretary of State and External Affairs Minister. It also called for consultations among senior officials between officials at the Foreign Office and Department of State. The statement also established a bilateral U.S.-India Joint Working Group on terrorism.<sup>29</sup>

While the Vision Statement did not explicitly address military relations, security relations did deepen. In August 2000, the U.S. Department of Defense identified four areas of "benign" engagement for India: (1) Peacekeeping, (2) Humanitarian Assistance/Disaster Re-

<sup>26</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications."

<sup>27</sup> Cohen, "India and America: An Emerging Relationship."

<sup>28</sup> For text of document, see Embassy of India, "Economic News & India News, Special Edition," September 2000. Available at [http://www.indianembassy.org/inews/2000\\_inews/september\\_2000.pdf](http://www.indianembassy.org/inews/2000_inews/september_2000.pdf) (last accessed August 26, 2002). Also see Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications."

<sup>29</sup> See Embassy of India, "Economic News & India News, Special Edition."

lief, (3) Search and Rescue, and (4) Environmental Security. Throughout the remainder of 2000, there were several military contacts, including a September 2000 visit to India by Admiral Blair.<sup>30</sup>

Indo-U.S. relations were further intensified with the arrival of the Bush Administration. The rapid pace of developments in the security relationship with India was no doubt facilitated by the fact that the early days of the Bush Administration reflected different views on key issues related to nuclear nonproliferation than its predecessor. The Bush Administration immediately signaled its desire to opt out of the Anti-Ballistic Missile Treaty, an area of convergence between New Delhi and Washington. (This is discussed below in further detail.) New Delhi was optimistic that the Bush Administration would be less beholden to nonproliferation objectives than was the previous administration. New Delhi's expectations were correct: By the end of summer 2001, the administration completed a policy review of the various nuclear-related sanctions that had been imposed upon India and Pakistan, concluding that the sanctions on India would be removed. Only the timing remained to be determined.<sup>31</sup>

The Bush Administration prioritized the military-to-military aspect of the relationship, as signaled by the July 2001 visit to India by the U.S. Chairman of the Joint Chiefs of Staff, General Henry H. Shelton. This trip precipitated an "imminent resumption of cooperation programs."<sup>32</sup>

### India's Contributions to the Global War on Terror

India's dramatic offer of unlimited support (including specific air bases) on September 14, 2001, was unprecedented and came as an

<sup>30</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications."

<sup>31</sup> Conversations with the Office of Secretary of Defense, United States Department of State, and Pentagon J-5 in February and July 2002.

<sup>32</sup> Sboto, "India and U.S. Military Cooperation and Collaboration: Problems, Prospects and Implications," p. 19.

enormous surprise to many Indian and American observers alike. Such an unstinting offer of military support from India could not have been imaginable even a few years ago. Officials in the Indian Ministry of External Affairs (MEA) note that the offer was important not only for its symbolic significance but also for its support to U.S. coalition building. (For example, India's support was an enormous factor in Islamabad's decision calculus.)

Despite the generosity of India's offer, the United States was not able to accept it given the central role that Pakistan played in the coalition. Reportedly, Pakistan made its support for OEF contingent upon the United States *not* accepting direct military support from India.<sup>33</sup> Not surprisingly, Indian MEA officials maintain that New Delhi's contribution to the war on terrorism has been minimal (they have not been asked to contribute); nonetheless, India has provided logistical and intelligence support to the effort. India has also contributed to the war on terrorism through its joint counterterrorism efforts with the United States (which began in 2000) and through its diplomatic and law enforcement efforts. These areas of contribution are detailed below. India also has provided naval escorts of U.S. high-value ships through the Strait of Malacca; however, as noted, India is not inclined to see this as contributing to the war on terror *per se*. Rather, it is seen as a core strategic interest and a major area of Indo-U.S. strategic cooperation.<sup>34</sup>

#### **Indo-U.S. Counterterrorism and Law Enforcement Cooperation**

The U.S.-India Joint Working Group on Terrorism and Law Enforcement was formalized on January 18–19, 2000, during the meeting of Deputy Secretary of State Strobe Talbott and Minister of External Affairs of India Jaswant Singh in the aftermath of the hijacking of Indian Airlines Flight 814. This group has met five times:

<sup>33</sup> Confidential interviews within the U.S. government, U.S. PACOM, and U.S. CENTCOM.

<sup>34</sup> For a more robust discussion of military-to-military engagements between India and the United States, see Fair, "Pakistan-U.S. Security Cooperation: A New Beginning?" in Mulvenon and Lostombo (eds.), forthcoming.

February 2000, September 2000, June 2001, January 2002, and most recently, in July 2002. While a sixth meeting had been planned to occur in New Delhi in 2003, it has yet to be convened.<sup>35</sup>

Initially, the working group focused upon international terrorism. It articulated a commitment to share experience and information and to coordinate approaches and action to counter international terrorism. Subsequently, the mandate of the group was expanded to include narco-terrorism and Afghanistan and the Taliban.

During the fourth meeting held in January 2002, several initiatives included:

- Legislative, institutional, and law enforcement steps undertaken by both governments with regard to homeland (or in the Indian context "internal") security.
- Detailed discussions of terrorist financing and agreements to cooperate more closely on cutting off funding streams to terrorist groups as a major component of the counterterrorism collaboration.
- Review of antiterrorism training and capacity building programs conducted by the United States, with an Indian expression of interest for expanded programs to include preventive, protective, and consequence management capabilities in both conventional and weapons of mass destruction (WMD) scenarios.
- U.S. pilot project that would cover equipment and technology to strengthen border management and surveillance capabilities.
- Forensic cooperation and means to deepen intelligence and investigative cooperation (particularly access to each other's databases on terrorists).<sup>36</sup>

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<sup>35</sup> See Embassy of India, Washington, D.C., "Joint Statement of the India-U.S. Joint Working Group on Counterterrorism," July 12, 2002. Available at [http://www.indianembassy.org/press\\_release/2002/jul/12.htm](http://www.indianembassy.org/press_release/2002/jul/12.htm) (last accessed August 27, 2003). See also United States Department of State, "Patterns of Global Terrorism, 2002," released by the Office of the Coordinator for Counterterrorism, South Asia Overview, April 30, 2003. Available at <http://www.state.gov/s/ct/rls/pgtrpt/2002/html/19982.htm> (last accessed August 27, 2003).

- Aviation security added to the evolving mandate of the task force.
- Joint Initiative on Cyber-Terrorism, first discussed during Prime Minister Vajpayee's November 2001 presidential visit to the United States, and was formally initiated during the fourth meeting of the working group. This area of cooperation is unique; the United States does not have such a relationship with any other state. It capitalizes upon mutual interest in protecting high-value information architecture from terrorist attack and India's extensive information technology resources.<sup>37</sup>

The fifth meeting of the group on July 12, 2002, largely deepened and expanded upon the initiatives described above.<sup>38</sup>

### **Diplomatic Contributions**

India's contribution to the war on terrorism has largely occurred at the diplomatic level. According to the Indian MEA, India has been a stalwart supporter of all states signing UN counterterrorism instruments and has been a vigorous proponent of a UN comprehensive terrorism instrument. For India, pursuing counterterror issues at every possible multilateral and bilateral forum is a national priority.

In addition to joining a joint working group with the United States on counterterrorism and law enforcement, India has formed working groups with several other key countries to "exchange infor-

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<sup>36</sup> Also note that the FBI opened up an office in New Delhi in December 2000, demonstrating a new level of trust between India and the United States.

<sup>37</sup> United States Department of State, "Press Statement by James P. Rubin: Joint U.S.-India Statement on Counterterrorism Working Group," February 8, 2000; Embassy of India, "Press Statement by India-U.S. Joint Working Group on Counter-Terrorism, January 22, 2002; and Embassy of India, "Joint Statement of the India-US Joint Working Group on Counterterrorism," July 12, 2002.

<sup>38</sup> Embassy of India, "Joint Statement of the India-US Joint Working Group on Counterterrorism," July 12, 2002.

mation and strengthen international cooperation to combat terrorism.”<sup>39</sup>

India also has entered into three types of bilateral treaties to combat international terrorism. The first of these, to combat terrorism and organized crime, is basically framework agreements to facilitate exchange of operational information. India has such agreements with Bulgaria, China, Croatia, Egypt, Italy, Oman, Romania, and the Russian Federation.<sup>40</sup>

The second type of bilateral treaties concerns extradition and is focused on facilitating the transfer of fugitive offenders, suspected terrorists, and others so that they may be tried in the state where the offense was committed. India has concluded extradition treaties with Belgium, Bhutan, Canada, Hong Kong, Nepal, Netherlands, Russia, Switzerland, United Arab Emirates, United Kingdom, and the United States. Treaties have been signed (but not exchanged) with Germany, Mongolia, Tunisia, Turkey, and Uzbekistan. India has also entered into extradition agreements with Australia, Fiji, Papua New Guinea, Singapore, Sri Lanka, Sweden, Tanzania, and Thailand.<sup>41</sup>

The third bilateral treaty concerns the provision of mutual legal assistance in criminal matters needed to prosecute offences (e.g., searching persons and property, locating fugitives and property, transfer of witnesses, and freezing and confiscating of proceeds of the crime). India has signed such agreements with Canada, the Russian Federation, Switzerland, Turkey, United Arab Emirates, United Kingdom, and Uzbekistan and has signed (but not exchanged) agreements with France, Kazakhstan, Kyrgyzstan, Mongolia, Tajikistan, and the United States.<sup>42</sup>

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<sup>39</sup> Satyabrata Pal, letter dated December 24, 2001, from the Charge d'affairs of the Permanent Mission of India to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counterterrorism, December 27, 2001.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

India also has numerous bilateral arrangements and agreements, and is party to 11 of the 12 International Sectoral Conventions on Terrorism that have been concluded under the United Nations. India is a party to the South Asian Association for Regional Cooperation (SAARC) on Suppression of Terrorism, 1987.<sup>43</sup>

#### Law Enforcement

India passed the Prevention of Terrorism Ordinance (POTO) on October 24, 2001. The law, which has been criticized as being excessively draconian, aims to deal with all aspects of preventing terrorism. POTO defines "terrorist acts" as acts committed with

[T]he intent to threaten the unity or integrity of India or to strike terror in any section of the people by using weapons and explosive substances or other methods . . . in a manner as to cause or likely to cause death or injuries to any person or persons or loss or damage to property or disruption of essential supplies and services.<sup>44</sup>

According to POTO, fundraising for the purpose of terrorism is also defined as a terrorist act. POTO defines terrorist organizations and bans them under a prescribed procedure. POTO also makes the possession of unauthorized arms, explosive substances, or other lethal weapons capable of mass destruction tantamount to a terrorist act.<sup>45</sup>

However, analysts at the Institute for Conflict Management in New Delhi caution that despite POTO, evidentiary standards make convictions practically impossible. Moreover, India has only four forensic laboratories throughout the country. Consequently, samples are lost, contaminated, or require an excessive amount of time for analysis. The analysts are also critical that POTO requires reauthorization every two years and argue that if the state were serious about terrorism, it would be addressed under the Indian Penal Code

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<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.



rather than by an ad hoc legal instrument.<sup>46</sup> Moreover, many of the other pieces of legislation; under which unlawful or criminal acts may be recognized as terrorism, date back to the time of the British Raj (e.g., Indian Penal Code, 1860; The Explosives Act, 1884; The Explosive Substance Act, 1908; and the Indian Telegraph Act, 1885).<sup>47</sup>

With respect to curtailing the financing of terrorism, India has a number of criminal laws "scattered over a number of Acts" that permit wide-ranging powers to investigate and prosecute as well as to freeze and forfeit assets. Pal cautions that despite these various legal provisions, most transactions in the criminal world are "unorganized, are informal, shadowy and as they are not through institutional mechanisms are extremely difficult to track, let alone offer evidence for purposes of prosecution."<sup>48</sup>

In addition, India has been a member of Interpol since 1946. Within India, the Central Bureau of Intelligence (CBI) has been designated the Head of the National Central Bureau (NCB) India, Interpol, New Delhi. Under the supervision of the Director CBI, there is an Interpol Wing within the CBI.<sup>49</sup>

### **India and the United States: Convergent Threat Perceptions?**

At a broad, conceptual level, both American and Indian officials explain that the two states have similar worldviews, as articulated in the Vision Statement. Both states are nonrevolutionary, status quo states. Both states, to a different extent, work through multilateral institutions to effect gradual change. Both states have foreign policies with a "moral streak." Indian and American officials also note that Indian

<sup>46</sup> Conversations with analysts at the Institute for Conflict Management in New Delhi in September 2002.

<sup>47</sup> Satyabrata Pal, letter.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

and American societies are pluralist democracies. In addition, Indian officials note the “bridge factor” in bilateral relations—the Indo-American community, which is economically thriving and developing substantial political influence.

With respect to security interests, both states understand that the new threats to global security are more nebulous, harder to define, and originate from multifarious sources. Both the United States and India have solid interests in managing political instability in the Asia Pacific region. Both countries are also tied by their shared energy security concerns. India obtains some 80 percent of its oil resources from the Gulf, and this percentage is likely to increase as India continues its trajectory of modernization with its attendant energy requirements.

While both Indian and American officials often emphasize that, particularly in the post-September 11 environment, the United States and India share similar perceptions of the threat that terrorism poses to global security, there are considerable differences that have emerged in the past year. This divergence of views arises over the issue of Pakistan and that country’s persistent provision of material support for militancy in Kashmir. As one official in the MEA explained:

Even while our long-term expectations for Pakistan are similar (for example, rebuilding social institutions, restoring democracy, social, political, and economic reforms . . . our approaches are quite different in the short term. For the U.S., success in Afghanistan has come to be equated with the relationship with Pakistan. The U.S. has accepted Pakistan’s willingness to have different approaches with respect to the Taliban and the jihadis in Jammu and Kashmir.

Despite President Musharraf’s numerous promises that infiltration from Pakistan into Indian-held Kashmir will cease permanently, this does not appear to be happening. Although a broad range of Indian interviewees within Kashmir and New Delhi conceded that in July and August 2002, infiltrations diminished by 30 to 40 percent, they also maintained that militants had been ordered to lay low, con-

serve their energy, and launch vigorous attacks to disrupt the Jammu-Kashmir elections to take place in September and October.<sup>50</sup>

According to officials in New Delhi, the militants have been directed to

- avoid attacking security forces,
- attack political party workers and election candidates, and threaten those who vote in the election, and
- after the election, target those who voted and coerce elected officials to resign through threat and intimidation.<sup>51</sup>

Indeed, between August 1 and September 24, 2002, alone, there were more than 600 incidents of election-related violence. This figure included the assassination of an election candidate, the Jammu and Kashmir Law Minister, and 30 political workers.<sup>52</sup> Since the election campaign commenced on August 2, 2002, some 10 to 12 poll-related deaths occurred per day.<sup>53</sup> By the conclusion of the election, as many as 140 civilians, 88 security personnel, and 86 political workers had died.

India is increasingly vexed that the United States has not made a forceful démarche to Pakistan to cease infiltration and to permanently disassemble the infrastructure to produce, train, and launch militants for operations in Indian-held Kashmir and within India. Indian officials adamantly expressed concern about the United States' modified

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<sup>50</sup> Based on conversations at the XV Corps, officials in police intelligence, Jammu and Kashmir, in Srinagar on September 7, 2002, and on conversations with former directors of the Research and Analysis Wing, officers at the Intelligence Bureau, and with the Ministry of Home Affairs in New Delhi on September 10, 2002.

<sup>51</sup> Ibid.

<sup>52</sup> Rajesh Ramachandra, "In Lone Country, a Cry for a Change," *Sunday Times*, September 15, 2002. "Mixed Response to Kashmir Vote," *BBC News World Edition*, September 24, 2002. Available at [http://news.bbc.co.uk/2/hi/south\\_asia/2277405.stm](http://news.bbc.co.uk/2/hi/south_asia/2277405.stm) (last accessed January 24, 2003). Myra Macdonald, "Two Killed as Bloodied Kashmir Wraps Up Vote," October 6, 2002. Available at <http://ca.news.yahoo.com/021006/5/pf5p.html> (last accessed January 24, 2003).

<sup>53</sup> Ibid.

approach to the war on terrorism and wonder about the implications that this may have on the Indo-Pakistan security competition. They argue that the United States initially declared a "global war on terrorism," but has since altered its stance to declare war on terrorist groups with global reach. From New Delhi's vantage point, this altered strategy reflects the United States' narrow pursuit of its own security interests.<sup>54</sup>

In the face of this changing strategy, India emphasizes its finding that Pakistan is the "epicenter of terrorism," and warns that if the United States does not act to contain the terrorist threat posed by Pakistan, India will not be the only victim. India avers that Pakistan is the next Afghanistan, churning out trained militants to go anywhere.<sup>55</sup>

Indians are careful to point out that it is not just the issue of infiltration that is so frustrating. They argue that Pakistan's madrassah system provides ideological indoctrination while the Pakistan army provides arms training at the same institutions. Indians also argue that there is no way that militants can infiltrate Indian-held Kashmir without the active or passive support of the Pakistan army. Moreover, Indians monitor the citizens band transmissions used by the militant commanders to communicate with their cadres. India maintains that Pakistan is the communications center for militants operating in Indian-held Kashmir.

Thus, India sees Pakistan as a dire problem that poses security risks not only for India and the region but also globally. The United States, for its part, has been more concerned about keeping Musharraf stabilized and rounding up al Qaeda and Taliban fugitives. The United States has been hesitant to lean on President Musharraf over the Kashmir issue because of its other numerous regional interests.

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<sup>54</sup> Based on conversations at the XV Corps, CID, and Jammu and Kashmir police in Srinagar on September 7, 2002, and on conversations with former directors of the Research and Analysis Wing, officers at the Intelligence Bureau, and with the Ministry of Home Affairs in New Delhi on September 10, 2002.

<sup>55</sup> Conversation with a broad array of serving and retired intelligence officials and military personnel during interviews in India, September 2002.

Indeed, while the United States forcefully demanded Musharraf's participation in OEF and the war on terrorism, even American officials at the U.S. Embassy in New Delhi privately concede that Pakistan has not been similarly pressured in subsequent months.

Moreover, analysts in the U.S. Department of State and officials at the U.S. Embassy in New Delhi admit that there is considerable confusion about how the Pakistan threat should be handled. Some have suggested a two-stage approach to Pakistan. The first stage calls for engaging Pakistan's assistance on the Afghanistan front, while the second stage would include persuading Pakistan to dismantle the militant training infrastructure within Pakistan itself. Indian officials in MEA acknowledge that this "two-stage" approach may be under way, but they are concerned that the second stage will never come. Another official in the MEA summarized India's position succinctly when he explained that India does not care how the United States deals with Pakistan as long as "this war [i.e., India's war against militants in Kashmir] and that war [i.e., the U.S. war on terror] intersect in the camps in Pakistan."

### What Does India Seek from Indo-U.S. Cooperation?

India, given its size and capacity, assumes that it is already recognized as the preeminent power in South Asia. India wants the United States to acknowledge India's strategic global significance as well as within Asia. India expects that the world should accord it the status of a "global power," which for India means *being called a world power*.<sup>56</sup> In practice, this means India wants to be brought into confidence when the United States undertakes major policy decisions so that there is "no discordance of policy. There needs to be continued coordination."<sup>57</sup> The Indian MEA, for example, cited the U.S. effort to establish a presence in Central Asia. MEA explained that

<sup>56</sup> Cohen, "India and America: An Emerging Relationship," 2000, p. 23.

<sup>57</sup> Conversations with high-level officials at the Indian MEA in September 2002.

[r]ight now it appears as if the U.S. will be in Central Asia for some time.... As this concerns India's neighborhood, India wants to be briefed. There should be no discordance in policy. No surprises. We need to keep each other fully briefed.<sup>58</sup>

An example of the United States bringing India into the fold was the Bush Administration's decision to inform New Delhi of the changes in the Anti-Ballistic Missile (ABM) treaty and its plans for ballistic missile defense.

India believes that its national endowments and capacity qualifies it for a permanent seat on the United Nations Security Council (UNSC). India hopes that the United States will support this bid. New Delhi views a permanent seat as tantamount to "a full recognition of India as a great power, something that the Indian elite still craves."<sup>59</sup> Not only would such an achievement satisfy the expectations of the elite, it would bring plaudits from the domestic Indian audience and from among the Indian diaspora. The latter are becoming increasingly important, not only to Indo-U.S. relations but also to India itself, because this constituency is extensively involved in economic and political processes within India. While a seat on the UNSC has tremendous *symbolic* value, it also offers the promise of *practical* powers. For example, India had been concerned about U.S.-led humanitarian operations (e.g., in Kosovo), fearing that similar justifications could be invoked by the UN to force an undesirable Kashmir solution upon New Delhi. If India had a permanent seat on the UNSC, India could veto any such move deleterious to its own interests.<sup>60</sup>

India's expectation is highly problematic for the United States. For nonproliferation proponents, a UNSC seat would appear to be a reward for conducting nuclear tests and becoming a *de facto* nuclear power, and would present the wrong incentive structure to aspirant proliferators. This expectation also presents challenges to the United

<sup>58</sup> Ibid.

<sup>59</sup> Cohen, "India and America: An Emerging Relationship," 2000, p. 23.

<sup>60</sup> Ibid.

States because there are a number of allies who have a more robust history of supporting the United States than has India. Rather than being a consistent supporter of the United States, in the past India has often used the UN forum to oppose the United States. The question persists whether India, upon obtaining a UNSC seat, would remain sensitive to U.S. interests or would revert to its oppositional practices of the past.<sup>61</sup> The expectation for a seat on the UNSC is further challenged by India's pursuit of a limited war doctrine to counter Pakistan's persistent reliance upon its own proxy war strategy in Islamabad.

Even if the Indo-U.S. relationship could create an atmosphere of bilateral trust between the two countries and assuage U.S. concerns about a seat for India, India still needs to win over the other UNSC members. Russia (like the United States) has adopted a "wait and see" approach. The other two European powers would likely oppose such a move, as would China (particularly if it weakened their own position on the UNSC).<sup>62</sup>

Certainly, another component of being a world power is military power projection. Whereas India used to be staunchly opposed to the U.S. military presence in its backyard, India now realizes that it cannot achieve such objectives as a blue-water navy without close ties with the United States. Thus, India expects that training, equipment, and technical expertise garnered from its relationship with the United States will enable a better outcome of its force modernization efforts.

However, it is important to note that India does not participate in coalition or alliance relationships. India operates outside of India only under UN mandate, except in wars with its neighbors. Officials at the Indian Integrated Defence Staff questioned the utility of army-to-army and air-to-air contacts given that it is not conceivable that India would operate outside of the UN mandate. Such individuals do not anticipate that a high level of interoperability would be necessary under these circumstances. (It is unclear how common such views are

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<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

within the services. Moreover, it is not likely that these views are shared by high-ranking officials within the MEA, the Ministry of Defense, or the Office of the Prime Minister.)

Most important in the context of the current war on terrorism, India wants its perception of terrorism and Pakistan's role to be accepted. India has largely been able to achieve this objective. India's mantra of "cross-border terrorism" emanating from Pakistan has been largely accepted by many observers, which has enabled New Delhi to marginalize Pakistan politically.

Delhi is very aware that Washington has a different approach toward Pakistan. A senior MEA official, explaining this divergence, expressed his belief that "the U.S. is loath to consider the 'terrorism' in J&K as the pure kind of terrorism as committed by al Qaeda."<sup>63</sup>

More generally, India wants its equities in Central Asia to be considered. India believes that it has contributed meaningfully to the rebuilding of Afghanistan through the training of medical personnel, teachers, and reporters. It also believes that it has much more that it could offer in terms of helping Afghanistan build a national army given India's long experience managing multiethnic armed forces. India also believes that its more intimate and nuanced knowledge of Southwest (Iran and Iraq) as well as Central Asia (Afghanistan, Pakistan, and the Central Asian Republics) should be taken seriously by Washington and actively sought out.

## Summary

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Indo-U.S. bilateral relations have had a tumultuous history. Nonetheless, President Clinton's 2000 visit to India communicated to India and to her public that the United States is very keen on renewing efforts to cultivate robust ties with India on a broad set of issues. The Bush Administration vigorously pursued this initiative. Although the inability of the United States to accept India's generous offer of mili-

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<sup>63</sup> Meetings at the Indian Ministry of External Affairs, September 2002.



tary support in the aftermath of the September 11, 2001, terrorist attacks on Washington and New York presented some initial stumbling blocks to enhancing Indo-U.S. relations, in hindsight, the tragic events provided a tremendous stimulus to the nascent bilateral relationship. Over the past year, India and the United States have had more high-level military and diplomatic exchanges than ever. On key issues such as terrorism, security of sea lines of control, and energy security, the United States and India have a tremendous commonality of interest and threat perception.

Yet, there have been costs in wooing New Delhi. India's position on Pakistan and Kashmir has caused some difficulties for U.S. operations in Afghanistan. New Delhi's insistence that Islamabad is to be blamed for the December 13, 2001, attack on the Lok Sabha and the subsequent unprecedented buildup along the border has caused Pakistan to become "distracted" strategically and swing some forces from the western border to the eastern border. The most recent flare-up of tensions (which nearly erupted into war in May and June 2002) underscores that the persistent problem of Kashmir threatens to undermine U.S. regional security objectives in the region.

For its part, New Delhi is concerned that in the pursuit of Islamabad, the United States will continue to overlook Pakistan's vigorous pursuit of proxy war in Kashmir. Analysts in New Delhi caution that should the United States fail to take into consideration New Delhi's desire that Pakistan eliminate permanently all infrastructure to train, support, and launch militants, serious problems could arise in Indo-U.S. relations.

While interlocutors on both sides note that there is considerable potential in this relationship, both are quick to note that it may remain at the "potential" level for several years to come if the current commitment is not institutionalized and if enabling policy changes are not executed. Yet this relationship with India will have its price: namely, India wants to be recognized as a world power and it anticipates that the United States will support its bid for a seat on the UN Security Council. Moreover, India hopes that it will be a partner in whatever new nuclear regimes are formulated. It is unclear how future U.S. administrations will view these expectations.

## **Kashmir: The Impediment to U.S. Bilateral Relations with India and Pakistan**

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### **Kashmir: A Flashpoint for Conflict<sup>1</sup>**

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The contentious issue of Kashmir is a potential impediment to more robust ties with both India and Pakistan. With respect to U.S.-Pakistan relations, Washington and Islamabad do not agree and are not likely to agree any time soon on Islamabad's approach to the Kashmir problem and Pakistan's ongoing support for armed insurgency there. Musharraf has assured all that Pakistan cannot and will not abandon the Kashmir issue.<sup>2</sup>

Thus, in short order, Pakistan and the United States may be at loggerheads on this issue. Washington's position vis-à-vis Islamabad is certainly affected by the close ties that have been cultivated with New Delhi—particularly in the area of counterterrorism. Both India and the international community observed the sanguineous violence that marked the Kashmiri elections—perpetrated by militant elements alleged to be backed by Pakistan in Islamabad's efforts to delegitimize the poll process in Jammu and Kashmir. Islamabad's al-

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<sup>1</sup> See Timothy D. Hoyt, "Politics, Proximity and Paranoia: The Evolution of Kashmir as a Nuclear Flashpoint," *India Review*, Vol. 2, No. 3, July 2003, pp. 117–144.

<sup>2</sup> In his January 2002 speech, Musharraf declared that "Kashmir is in our blood." See also Elizabeth Rubin, "Can Musharraf Reform Jihadi Culture?" *The Christian Science Monitor*, January 24, 2002.

leged involvement in the election violence was interpreted by India and other observers as contradicting Pakistan's claim to pursuing peaceful resolution of the disputed status of Kashmir.

Pakistan uses several arguments to deflect accusations that it actively supports terrorism. First, Pakistan claims (disingenuously) that it provides only diplomatic and moral support to the militants—as opposed to material support.<sup>3</sup> Second, while Pakistan concedes that militants do stage from Pakistan into Indian-held Kashmir, Islamabad denies that this is “cross-border terrorism.” Islamabad correctly notes that militants are not generally crossing a *border*. Rather, they are crossing the Line of Control (LOC). Pakistan maintains that to call the LOC a border is to endow the LOC with a sanctity it does not possess. Third, Pakistan is also loath to concede that at least some of the insurgents are in fact terrorists.<sup>4</sup> Despite direct signals from Washington to abandon the use of militants,<sup>5</sup> President Musharraf has made a number of efforts since joining the war on terrorism to analytically distinguish “terrorists” of the type that perpetrated the attacks on the Pentagon and the World Trade Center and those militants whom Pakistan considers to be “freedom fighters” seeking to wrest Indian-held Kashmir from New Delhi.<sup>6</sup>

While some of Islamabad's arguments are relevant, it is hard to argue that Afghani, Arab, or Chechen militants operating in Kashmir have any defensible equities in the dispute given that they seek to establish a Sunni state that is at variance both with the type of Islam (Sufism) practiced by many Kashmiris and with the political aspira-

<sup>3</sup> *The Dawn International*, “Support to Kashmiris to Continue, Says Sattar,” Online Edition, January 17, 2002.

<sup>4</sup> Owen Bennett-Jones, “Rumsfeld's Kashmir Controversy,” *BBC Online*, June 13, 2002. Available at [http://news.bbc.co.uk/1/hi/world/south\\_asia/2043176.stm](http://news.bbc.co.uk/1/hi/world/south_asia/2043176.stm) (last accessed August 19, 2002).

<sup>5</sup> Arora Vasantha, “U.S. House Panel Urges Musharraf to Dismantle Terror Camps,” *The Hindustan Times*, June 7, 2002. Simon Denyer, “Musharraf Has Little Room for Maneuver on Kashmir,” *Reuter's Foundation Alert*, May 30, 2002. Available at <http://www.alertnet.org/thenews/newsdesk/450835?view=PrinterFriendly> (last accessed August 19, 2002).

<sup>6</sup> Bennett-Jones, “Rumsfeld's Kashmir Controversy.” “Support to Kashmiris to Continue, Says Sattar,” *The Dawn International*, January 17, 2002.

tions of the Kashmiris themselves. Militant groups and their supporters counter that jihad is the corporate responsibility of all Muslims, irrespective of nationality, ethnicity, or—apparently—even sectarian preferences.

Moreover, undeniable instances of “cross-border terrorism” do occur and are connected to groups acting from Pakistan. Intelligence officials in both Srinagar and New Delhi aver that militants do not simply infiltrate and exfiltrate through Kashmir. Rather, they pass in and out of India via the international borders at Rajasthan (in western India), Bangladesh, and Nepal as well as through sea routes. The December 2000 assault on the Red Fort in New Delhi and the December 2001 attack on the Parliament building both took place in territory that is undisputedly within India and constituted indisputable acts of “terrorism.” In this sense, these attacks clearly are “cross-border terrorism.”

Even though Musharraf has promised to permanently end the infiltration into Indian-held Kashmir, few observers believe that he will follow through. Rather, it is widely believed that such groups have been told to “lie low” for the time being. Doubt is pervasive in New Delhi, where Musharraf is widely seen as the devious mastermind of the Kargil debacle. It will take considerable pressure to make this decision permanent—and right now, the United States has been loath to push him too hard for fear of losing his support for U.S. operations in Afghanistan. India has studied this situation assiduously and is anxious whether its security concerns are going to be addressed.

India’s insistence that all infiltration/exfiltration constitutes “cross-border terrorism” renders New Delhi vulnerable to some of Pakistan’s rhetoric. India would be better served by making distinctions between infiltration and exfiltration that is cross-LOC and that which is truly cross-border. Making this analytical distinction is appropriate because infiltrating and exfiltrating militants across the LOC from staging camps in Pakistan requires different logistical support than does infiltration/exfiltration through a third country such as Bangladesh or Nepal or even through a sea route. A better course for India would be to collect and present data for the different infiltration/exfiltration routes. Such an analytical approach would both

eviscerate some of Islamabad's claims and would help the international community to better understand India's predicament. However, India is adamant about not making such distinctions; for political expediency, it wants to term all acts terrorism—even if this unified rhetorical voice undermines its own goals and objectives.

New Delhi has been particularly apprehensive because of the elections in Jammu and Kashmir, held in four phases in late September and early October 2002. New Delhi's fears were amply justified by the rising violence in the disputed region as the militants endeavored to diminish voter turnout and intimidate elected officials into resigning.

With respect to the overall approach that Washington has taken, Indian MEA officials are concerned that the United States has made distinctions in the way it deals with al Qaeda and the Taliban while permitting Pakistan to use its own militants to disrupt civil order in India. According to officials in MEA,

Within the United States, the entire strategy of getting al Qaeda has been personified as Musharraf. How long is this workable? For example, all of the United States concerns about outcomes get concentrated into the outcomes for Musharraf personally—not Pakistan. It is as though he is the policy. But how long will this approach of co-opting a person work?

It was easy to personify al Qaeda or the Taliban as Osama Bin Laden or even Mullah Omar. But the U.S. policy vis-à-vis Pakistan is Musharraf-focused and seeks ways of rewarding him specifically. This translates to giving Musharraf something that he can use to demonstrate to his populace that he gained ground vis-à-vis the Indians. In other words, he seeks quid pro quos that strengthen [the military's position on] Jammu and Kashmir.<sup>7</sup>

In other words, the U.S. approach will result in strengthening the military leader, President Musharraf, and his primary constituency, the Pakistan army. The current approach adopted by Washing-

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<sup>7</sup> Interview with high-level officials at the Ministry of External Affairs in New Delhi. September 2002.

ton will not produce the long-term positive change that can be achieved only through strengthening the state of Pakistan and its civic institutions to establish and sustain a culture of democracy.

Indian MEA officials also noted that in the near term, India can accept Washington's approach with a "wait and see" attitude. However, should the United States do something that seriously strengthens Pakistan's or Musharraf's hand vis à vis India or declines to engage India in a particular way out of deference to Islamabad's sensitivities, there could be a serious derailment of the current Indo-U.S. rapprochement.

Unfortunately, the rhetorical positions of Pakistan and India are completely orthogonal. New Delhi sees no reason to "reward" Pakistan for its partial cessation of militant support and infiltration. New Delhi maintains that these are actions that Islamabad should never have prosecuted in the first place. For Pakistan's part, President Musharraf's public stance is that having sacrificed Pakistan's decades-old Afghanistan policy on the alter of the war on terrorism, it cannot possibly be seen further caving in to Washington, or worse, to New Delhi, on the issue of Kashmir.

Moreover, while New Delhi is adamant in its public position that Kashmir is an internal issue and that its problems with Pakistan must be solved bilaterally, it is vexed that Washington is not doing more to force Musharraf's hand. While analysts within the MEA and the intelligence establishments in India acknowledge this apparent contradiction, they concede that this is exactly what India wants. For Pakistan's part, it has long sought an "internationalization" of the affair and enjoys pointing out at every opportunity that the issue has in fact already been internationalized by the high-level diplomatic involvement that took place in 2002 to defuse the crisis.

As a result of Pakistan's relentless reliance upon proxy warfare in Kashmir, India's demurral to take a more proactive role in resolving the intractable Kashmir quagmire, and the persistent and unprecedented buildup of forces lined up along the border, conventional deterrence instability persists and will likely persist for the relevant future.

Moreover, Pakistan will likely be driven to even deeper and darker acts of desperation on Kashmir both diplomatically as witnessed at the September 12, 2002, session of the UN General Assembly (UNGA) but also through its intensified prosecution of low-intensity conflict in Kashmir. Pakistan's acute apprehension is precipitated by the fact that as India continues its path to ascendancy and finds ways of dealing with the Kashmiris directly toward a political solution, Pakistan fears that its equities will not be considered. Indeed, that is exactly what India hopes to do. India had anticipated that its Jammu and Kashmir elections would have a reasonable voter turnout with a diverse representation in the state assembly, including even separatist elements as a first step of enfranchising the deeply disaffected Kashmiri populace.<sup>8</sup> Kashmiris, on the other hand, were quick to dismiss such a facile approach to a solution. Kashmiris (both civilians and their political representation) averred that while elections could constitute a first step, elections in and of themselves are insufficient for reconciliation. Elections, they argued, cannot substitute for a robust peace process to end the violence and deep alienation from New Delhi.<sup>9</sup>

A recent poll conducted by A. C. Nielson in the urban areas of Srinagar and Anantnag in the Muslim-dominated district of Kashmir and in the cities of Jammu and Udhampur in the Hindu-dominant district of Jammu showed deeply discordant aspirations of the Kashmir and Jammu districts. For example, averaging over both districts, the largest share of respondents (49 percent) said that the Kashmir Valley should remain with India. However, this aggregation does not tell the full story.

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<sup>8</sup> Based on an extensive array of interviews with the Indian MEA, analysts at RAW in New Delhi, officers at the XV Corps in Srinagar, and current and opposition leadership in Srinagar in September 2002. It is also derived from conversations with political and religious parties, nonstate actors, and serving and retired officers of the Pakistani army in December 2000. Also see Tellis, Fair, and Medby, 2001.

<sup>9</sup> Based on conversations with Kashmiri political representation and opposition groups as well as with civilian organizations, student groups, and the Kashmiri press in Srinagar in September 2002.

In Srinagar (the heart of the Valley and with a dominant Muslim majority), only 21 percent want the Valley to stay with India. In Anantnag (also heavily Muslim) only 5 percent want the Valley to stay with India. *Forty-eight percent in Srinagar and 59 percent in Anantnag say independence is the only solution to the Kashmir problem.* While 26 percent in Srinagar and 27 percent in Anantnag say Kashmir should stay with India, they also indicated that the state should be granted greater autonomy.

Only the cities of Jammu and Udhampur (both in the Jammu district where a majority of Hindus reside) want the Valley to stay with India (79 percent and 81 percent, respectively).<sup>10</sup> While this poll surveyed only 574 respondents and only individuals in urban areas, the data suggest that if New Delhi wants to "cut a deal with the Kashmiris," it has its work cut out for it. In the meantime, Islamabad, fearing that the elections will indeed provide India with a path to resolving Kashmir without acknowledging Pakistan, will likely become more brazen in Kashmir out of complete desperation. Given India's decreasing patience for such adventurism, the security dynamics that are emerging are not comforting.

## Kashmir and Nuclear Weapons

The presence of nuclear weapons in South Asia means that this dispute is no longer a bilateral affair or even an Indian domestic affair. Rather, the dispute could quickly assume global implications. Moreover, both states in differing ways draw the United States and other international organizations and actors into the conflict on their own terms. The 2002 military buildup along the Indo-Pakistan border

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<sup>10</sup> See Praveen Swami, "The Game of Numbers," *Frontline*, Vol. 17, No. 21, October 14–27, 2000. Available at <http://www.flonnet.com/fl1721/17210360.htm> (last accessed October 2, 2002); and "Kashmiris Don't Want to Join Pak: Survey," *The Times of India*, September 27, 2002. Available at <http://timesofindia.indiatimes.com/cms.dll/articleshow?artid=23409600&Type> (last accessed October 2, 2002).



(called Operation Parakram in the Indian defense literature) exemplifies the various ways in which India and Pakistan drew the United States into the conflict or used assessment of U.S. actions in their decision calculus.

India, for its part, adjudicated that should it launch a strike across the LOC, the presence of the U.S. troops and other assets in Pakistan (at key military installations) would act as an incentive to the United States to act to ensure that the conflict remained limited. This would allow India to punish Pakistan for its support of proxy elements and compel it to abandon this policy, confident that if Pakistan responded, it would do so only in a "tit for tat" manner across the LOC. Thus, India *counted* on U.S. action as part of its plan for escalation control.

Pakistan, for its part, had an incentive to play up the risk of conflict escalation (possibly to the nuclear threshold) to encourage the United States to find some means to terminate the military standoff. Pakistan also mobilized the argument that it would be forced to swing troops from the Afghan border to the Indian border, which would negatively affect U.S. efforts to round up Taliban and al Qaeda fugitives.

The 1999 Kargil conflict also demonstrates how both states used their ownership of nuclear weapons to precipitate international intervention on their own terms. India intimated to the United States and others that it would be forced to operate across the LOC if the intruders could not be persuaded to withdraw. India was able to galvanize action around the specter of escalation to procure international efforts to convince or coerce Pakistan to withdraw its forces. Pakistan, for its part, mobilized fear of escalation to secure from the international community an honorable exit strategy. The United States, in its efforts to resolve the situation, allowed Nawaz Sharif to find a means of withdrawing without admitting that the forces were Pakistani Northern Light Infantry forces—not "mujahadeen" as Pakistan claimed.<sup>11</sup> In exchange, Pakistan received from then President

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<sup>11</sup> The Government of Pakistan clings to the canard that the intruders at Kargil were civilian militants (so-called mujahadeen). Despite this official position, a wide array of Pakistani

Clinton assurances that he would turn to the Kashmir issue. However, policy attention was overtaken by events in the Middle East.<sup>12</sup>

New Delhi's counterstrategy to Pakistan's pursuit of proxy war under the cover of its nuclear umbrella is the notion of limited conventional war.<sup>13</sup> India's increasing pursuit of a limited war doctrine is cause for concern—in part because of New Delhi's confidence that it has escalation dominance. There are critics in New Delhi who argue that there is confusion in India between "limited strikes" (a tactic) and "limited war" (an outcome that hinges upon the response of an adversary).<sup>14</sup> For example, on September 26, 2002, the author participated in a conference on asymmetric warfare at the United Services Institute in New Delhi. The topic of limited war repeatedly emerged in the context of Pakistan's persistent support for militancy in Kashmir. The Indian participants included retired and serving general officers, think-tank analysts, and academics among whom there was striking consensus that limited war was indeed possible and should be pursued. Kargil, for example, was a limited war of sorts.

Ultimately, whether the conflict will remain limited once started depends upon Pakistan's response, and it seems difficult to be assured that India will have escalation dominance. Further, given India's zeal to develop a conventional limited war strategy, it remains to see how Islamabad will respond to these doctrinal developments and the concomitant military asset acquisition to support the prosecution of a limited war (precision-guided munitions, unmanned aerial vehicles, high-altitude air strikes capabilities, and the like).

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civilian and military officials concede that it was the Northern Light Infantry. From field-work in Pakistan during December 2000, January 2003, and July/August 2003. See Tellis, Fair, and Medby, 2001.

<sup>12</sup> For an analysis of Kargil and its impact on stability, see Tellis, Fair, and Medby, 2001. Also see Bruce Reidel, *American Diplomacy and the 1999 Kargil Summit at Blair House*, Center for Advanced Study of India, May 1, 2002. Available at <http://www.gyre.org/r.php?id=2122> (last accessed October 22, 2003).

<sup>13</sup> Jasjit Singh, "Dynamics of Limited War," *Strategic Analysis*, October 2000, Vol. 24, No. 7, pp. 1205–1220; Praful Bidwai, "Limited War: Unlimited Folly," *The News (Pakistan)*, May 23, 2002.

<sup>14</sup> See Bidwai, 2002.

With respect to its strategic assets, Islamabad has long refused to have a no-first-strike policy and dismisses India's nuclear non-first-use policy as a veil for keeping the conventional first-strike option available in light of Pakistan's conventional vulnerability relative to India's. Moreover, Pakistan has consistently maintained that it would use nuclear weapons only if its sovereignty came into peril. What red lines this implies is anyone's guess.<sup>15</sup> At any rate, resolving the principal source of security competition between these states should be an international priority. Both "carrots" and "sticks" should be brought to bear upon this problem to ensure that the Kashmir situation is resolved and that all three involved parties—Kashmir, India, and Pakistan—have their equities addressed. It is important that all three parties are satisfied with the outcome to ensure a lasting agreement and to diminish the prospects for renewed violence.

Both the fact that Kashmir is and will remain a nuclear flash-point<sup>16</sup> and the continual manipulation of U.S. and other international equities by both actors to calibrate the gravity of any given conflict suggest that there is a requirement to resolve the dispute over Kashmir. In this regard, "the root causes" of the Kashmir problem have been raised by Kofi Annan himself during his address to the UNGA on September 12, 2002, much to the chagrin of New Delhi. Prime Minister Vajpayee took the opportunity on September 13, 2002, during his address to the UNGA to express irritation with such a view. He retorted "Those who speak of underlying or root causes of terrorism offer alibis to the terrorists and absolve them of responsibilities for their heinous actions such as the September 11 attacks on the United States or the December 13 attack on our Parliament."<sup>17</sup>

<sup>15</sup> This issue of "red lines" (lines that must be crossed to instigate nuclear war) is the subject of forthcoming work by Devin T. Hagerty and Sumit Ganguly. These authors maintain that their study of previous conflicts suggests that there are a number of clearly discernable red lines. However, this work is still in its preliminary stages.

<sup>16</sup> See Hoyt, 2003.

<sup>17</sup> Chidanand Rajghatta, "PM Gives It Back to Musharraf," *The Times of India*, September 14, 2002; Amit Baruah, "We Will Put an End to Cross-Border Terrorism: PM," *The Hindu*, September 14, 2002.

While a compelling case can be made for international and U.S. efforts to resolve this dispute, few are optimistic about the prospects for such a resolution.<sup>18</sup> Opponents of U.S. intervention argue that considerable political capital would be required for such an effort. Moreover, efforts would be frustrated from the start because of unwillingness (on the part India, Pakistan, or both) to have the United States play such a role. Given the low prospects of success, there is little reason to compromise U.S. credibility by engaging it in a resolution process that is doomed before it could even develop.

Proponents of activist intervention counter that the Kashmir problem demands and deserves such a calculated risk because its gravity and severity threaten the security of both states and affect the equities and security interests of a wide array of international entities, including the United States. Supporters of intervention argue that dim prospects for success have not deterred the United States from taking active roles in the Israel-Palestine dispute—however episodic or varying in intensity. Further, it could be argued that this dispute could be more easily resolved than the Israel-Palestine dispute because the two major players are states. This is not to deny the validity of the positions and aspirations of the Kashmiri people; rather, this view reflects a realistic appraisal of the fact that it will be states that adjudicate the fate of the varied peoples of the Kashmir region. Options for dealing with the Kashmir issue will be put forth in the next and concluding chapter of this report.

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<sup>18</sup> Devin T. Hagerty, "U.S. Policy and the Kashmir Dispute: Prospects for Resolution," *India Review*, Vol. 2, No. 3, July 2003, pp. 89–116.

## Conclusions and U.S. Options

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As should be apparent, Washington's pursuit of better ties with both Islamabad and New Delhi pose numerous challenges and opportunities. With respect to Pakistan, the policy challenge in the near term is daunting. For better or for worse, Pakistan *is* a critical state in containing the terrorist threat in South, Southwest, and Central Asia. Pakistan is important because it can be a useful ally and contribute substantially to solving the problem, particularly if it can be rehabilitated into a moderate and functioning state with a stake in the outcome of diminishing the influence of militant organizations and their reliance upon violence. However, Pakistan is equally capable of becoming the "new Afghanistan" with dedicated resources from states (e.g., Saudi Arabia, the United Arab Emirates, and diasporic communities based in the West) interested in making Pakistan a launching pad of militancy.

Moreover, it is not a farfetched scenario that Pakistan could find itself deeply disenchanted with the West and feeling "bullied" by a recalcitrant India. Such a Pakistan could over time steadily transform into an oppositional state that provides sanctuary for terrorists and their organizations through both active and passive support. Although such a scenario is unlikely while Musharraf remains at the helm, his successor may well be weaker and less committed to ending

the sectarian and Kashmir-oriented militancy in Pakistan (to the extent that such distinctions persist in the future).<sup>1</sup>

Engaging Pakistan will have costs. For example, military assistance is attractive because President Musharraf both wants and needs such support to demonstrate to his primary constituency, the Pakistan army, that cooperating with the United States is profitable. Yet the United States should consider to what extent it wants to strengthen Musharraf and the army, rather than the state of Pakistan and its civilian institutions. Conversely, rebuilding Pakistan and its institutions will have benefits that may not be observed any time soon, even under the best of circumstances. Moreover, keeping Musharraf within the fold of the coalition has dampened criticism of Musharraf's efforts to introduce a series of amendments to Pakistan's much-embattled constitution. The constitutional changes will concentrate state power in the center (in the office of the president) and will move Pakistan steadily away from a parliamentary system.<sup>2</sup> Consequently, whatever type of democracy that may emerge in the policy-relevant future is likely to be weak.

Fundamentally, the United States will have to face the real terrorist threat that still could emerge from Pakistan. Once a militant is trained, it makes little difference whether the militant was trained in Pakistan or Afghanistan. With sufficient resources and adequate logistical support, the trained militant can operate in any theater and destabilize any region. Thus, it is in Washington's interest to persuade Pakistan to permanently dismantle this infrastructure. Moreover, dismantling this infrastructure will restore a quality of life and economic opportunity to the Pakistani polity, restore a semblance of

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<sup>1</sup> Based on conversations with intelligence officials in both Srinagar and New Delhi as well as with officers at the XV Corps in Srinagar, September 2002. For more details, see Fair, "Pakistan-US Security Cooperation: A New Beginning?" in Mulvenon and Lostumbo (eds.), forthcoming.

<sup>2</sup> See, for example, "Political Leaders Oppose Amendment Package," *The Dawn* Internet Version, June 29, 2000. See also Ihtasham ul Haque, "Sacking Powers May Be Restored: Constitutional Amendments Proposed," *The Dawn* Internet Version, June 27, 2000. Raja Asghar, "Pakistan's Musharraf Aims to Bolster His Presidency," June 26, 2002. Available at <http://ca.news.yahoo.com/020626/5/natl.html>.

quality life to the Kashmiris, and diminish the prospect of conventional conflict between India and Pakistan.

It remains to be seen how the significance of Pakistan's centrality to the U.S. counterterrorism strategy in Afghanistan will affect American efforts to pursue more robust strategic ties in areas of mutual interest with New Delhi. However, what is clear is that if the United States wishes to continue to develop a strategic relationship with India, it will likely have to make its case to New Delhi for distinguishing between groups like al Qaeda and those that operate in India and Indian-held Kashmir. Alternatively, New Delhi may be increasingly disenchanted with what it considers to be a short-sighted and hypocritical approach to terrorism. Moreover, considerable anti-Americanism persists in India, and opposition parties seeking to embarrass the current regime could harness this sentiment to accord themselves greater political capital within India's domestic constituency.

Enhancing ties with both India and Pakistan simultaneously surely has its challenges and tradeoffs, but many benefits could accrue from enhanced relations. Even though the war on terrorism appears to receive most of the U.S. government's attention in the region, the United States seeks stability in South Asia in general and hopes to diminish the prospect of conflict to as near to zero as possible. The United States also has nuclear non-proliferation and nuclear non-use concerns. Better ties with both states, particularly the military institutions, will enable the United States to influence the direction that these nations pursue with respect to their nuclear weapons program. While the military in India still has little authority, this is likely to change over time as India completes its bureaucratic defense modernization.

## Policy Options

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As this monograph suggests, the issue of Kashmir is and will likely remain the "hyphen" in U.S. relations with India and Pakistan. Although India maintains that the dispute over Kashmir is a bilateral

problem only, the fact that Kashmir will likely remain a nuclear flashpoint argues that while the dispute may be bilateral in nature, it is not bilateral in consequences. India maintains that it does not want any international involvement in the dispute, but there is some dishonesty in this position. Indian interlocutors are quick to assert that they want the United States to compel Pakistan to accept the status quo and cease its use of proxy warfare in Kashmir and elsewhere.<sup>3</sup> Pakistan has long argued for international mediation. However, both India and Pakistan learned an important lesson at Kargil—if there is international intervention in Kashmir, it will not necessarily favor Islamabad's position.

Because the United States has good relations with both states and given the way in which Kargil altered the relationships with India and Pakistan, there may be some space within which a resolution of the Kashmir conflict can be pursued. In fact, the United States probably has not had such robust relations with both states simultaneously since the 1950s. Interviewees from both India and Pakistan admit the possibility that as both states deepen their trust of the United States, there may be a greater role for the United States to use its influence to find a lasting solution to the Kashmir quagmire, should Washington seek to mobilize its political capital in this way. Below we put forth five potential policy options that the U.S. government may adopt toward Kashmir.

#### **Option 1: Maintain the Status Quo**

Within the contours of this option, the United States would continue its current efforts to forge relations with both India and Pakistan on terms that are consonant with the capabilities and contributions of the state in question. The United States would maintain its generally ambiguous position on the disposition of Kashmir while encouraging Pakistan to cease its support for militancy there and beyond and verbalizing its interest in India's finding some means of enfranchising its alienated Kashmiri populace.

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<sup>3</sup> Conversations with Indian military and civilian personnel during fieldwork in August and October 2002 and June 2003.



This approach has some advantages. It permits the U.S. government to subsume the issue of Kashmir under the larger priorities associated with the global war on terrorism and thus avoid having to make hard choices in the near term about Pakistan's support for militancy in the disputed area. It would focus instead on Islamabad's cooperation against al Qaeda and the Taliban. It would also permit the United States to steer clear of any issue that might seriously alienate India, Pakistan, or both in pursuit of better ties with the two states.

However, maintaining the status quo does not address several structural concerns. First, this option relegates the United States to playing the role of crisis manager on an as-needed basis. The United States expended great effort between December 13, 2001, and the fall of 2002 to keep the two adversaries from commencing hostilities. While the United States demonstrated that it can provide exit strategies to both, is this something that the United States can sustain over the long haul? Is this the sort of activity that the United States would prefer to do over the long term? Second, this position does little to advance a significant U.S. regional objective: minimizing the prospect of an Indo-Pakistani conflict to as near to zero as possible. This goal cannot be truly realized until both New Delhi and Islamabad have a Kashmir settlement with which they are satisfied. Third, Pakistan's ongoing support for militancy and provision of training infrastructure for militants undermine U.S. goals in the global war on terrorism. Finally, if not dealt with, the contentious issue of Kashmir will likely hamper U.S. efforts to forge the type of relationship with both India and Pakistan that could otherwise be possible in the absence of such a dispute.

#### **Option 2: Take an Active Role in Resolving the Kashmir Dispute**

This second option is for the United States to take a much more active role in resolving the dispute, acknowledging that in the near term neither state will likely be satisfied and that the insertion of U.S. and other nations' equities in the dispute may complicate near-term en-

agement with both states.<sup>4</sup> One analyst attending a roundtable on South Asia convened by the Stanley Foundation offered an approach to resolution that this author finds very compelling. Essentially, the U.S. government would make its position clear that the LOC is up for renegotiation within limits. Although this position would not attempt to redraw maps in South Asia, it would suggest a slight maneuvering of the LOC to enhance its tactical defensibility by both parties, keeping in mind that the ridgeline and tactical points of significance do not always follow the contours of the currently constructed LOC.

To discourage Pakistan from significantly altering the status quo, this option requires heavy pressure on Pakistan to ensure that it does not engage in *any* mischief during this process and the credible threat of punitive measures should it chose to do so. This option would also require an attractive package to Islamabad that would enable the regime to sell this solution to its populace—a populace that has been fed a steady diet of revisionism for 50 years. This collection of assistance would aim to rehabilitate Pakistan's state and other civilian institutions.

Similarly, India would be strongly encouraged to find some means of accommodating the political aspirations of the diverse peoples of Kashmir that would come under their control. This is key, in that political accommodation would enable Pakistan to claim domestically that its acceptance of a solution will enhance the quality life of the Kashmiris, whose equities Islamabad claims to champion.

Vigilance of the United States and other parties will be required to ensure that neither side retrenches from the arrived-at resolution and reverts to reckless policies of the past. Particular attention needs to be paid to ensure that Pakistan permanently abandons its policy of proxy war and dismantles its militant production capabilities. To the extent that is technically feasible, means of monitoring the LOC could be emplaced. The custodianship of these means could involve India and Pakistan alone or could involve third states such as the United States or other international entities. This option would also

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<sup>4</sup> This option and its supporting arguments are heavily informed by the lively roundtable discussion convened on South Asia by the Stanley Foundation in October 2003.

involve aid packages to advance the development of the various Kashmiri peoples on both sides of the nascent international border. Both Pakistan and India would be required to find political and constitutional means of accommodating their respective Kashmiri populations.

*If* this option could be pursued successfully, the advantages are numerous. Both Pakistan and India would have a border with which they can live peacefully. Pakistan in theory could be rehabilitated to an operable state with robust internal security and could feel more confident in diverting expenditures from the military toward social development. Its ostensible strategic move away from supporting militancy would buttress U.S. objectives in the global war on terrorism. India, free from its heavy load of counterinsurgency efforts in Kashmir, would be more able to pursue its great power ambitions. The varied Kashmiri people would gain newfound political space and freedom.

Of course, there is a chimerical quality to these putative advantages; they seem beyond the realm of the attainable. While Pakistan maintains that Kashmir is the only significant outstanding dispute with India, it remains far from clear that this is entirely the truth. Even if Kashmir is "resolved," in the long term India will continue to develop economically and militarily in ways that Pakistan cannot owing to the vast differences in resources and national potential of the two states. Over time, as India follows its trajectory of ascendancy, Pakistan likely will persist as an insecure and unsatisfied state. It is also possible that the dispute over Kashmir has created institutions that are vested in maintaining the conflict, which would render short-lived any brokered solution.

Should this policy initiative fail in the end, what consequences would the effort have had for the U.S. budding relationship with both states? Both states likely would harbor resentment at the willingness of the United States to adopt a policy that is seen as being too accommodating toward the other state in the dyad. Pakistan could easily cede ground to its deepening hostility toward the United States and pursue policies that are inimical to U.S. interests (nuclear and missile proliferation, militancy in Kashmir, and engagement in Af-

ghanistan). India too may become less interested in a robust security relationship with the United States. However, India's interest in abandoning the relationship with Washington may be mitigated by the fact that over time, U.S. and Indian interests in the region are convergent and India understands that its great power aspirations will eventually need the acquiescence of the United States.

### **Option 3: Complete Disengagement from the Indo-Pakistani Conflict**

This option takes as its premise that both states now draw the United States into the conflict directly or count on U.S. engagement implicitly in evaluating their options and the consequences of their actions.<sup>5</sup> This approach would attempt to deny both states the implicit or explicit reliance upon U.S. intervention. It would require that the United States effectively signal that Washington will not intervene in resolving any dispute that may arise between the two actors. The two states would be deprived of their heretofore convenient exit strategy (turning to the United States), encouraging both states to avoid escalation and find alternative means for deescalation if needed.

Precedent could draw from the U.S. position toward the Indo-Pakistan war of 1965. The United States concluded that the conflict was overwhelmingly precipitated by Pakistan. Not only did Washington decline to provide Islamabad any assistance, it announced that it would cut off aid to both combatants. The United States was discomforted by the fact that both states used U.S.-supplied equipment in the conflict. The U.S. larger security interest in South Asia diminished as a result. In the absence of U.S. involvement, the post-Khrushchev Soviet Union stepped in. Rather than siding with India, pro forma, it took a neutral position and provided its good services at Tashkent. This culminated in the Tashkent Declaration of 1966, which essentially restored the status quo ante.<sup>6</sup>

<sup>5</sup> This option was also proffered by a Stanley Foundation roundtable participant.

<sup>6</sup> Accounts of the 1965 war are numerous. See Kux, 2001, 1993; McMahon, 1994; Safdar Mahmood, *Pakistan: Political Roots and Development 1947–1999*, Karachi: Oxford University Press, 2000; and Lawrence Ziring, *Pakistan in the Twentieth Century*, Oxford: Oxford University Press, 1997. For an abbreviated account, see “Indo-Pakistan War of 1965” (avail-

This option appears attractive in principle, but difficult in practice. First, if the United States opts out, other states and institutions are likely to step in, as the example of the 1965 war and the Tashkent Declaration amply demonstrated. U.S. withdrawal from the region opened up opportunities for other states to gain influence, particularly China. In the aftermath of that conflict and U.S. abandonment of Pakistan, Beijing and Islamabad forged robust security relations that continue to date. Second, given the multiple policy interests that the United States has in the region, it is nearly impossible to imagine a plausible means by which the United States could achieve disengagement on the Kashmir issue (and other areas of dispute) while simultaneously pursuing other U.S. interests with these two states.

#### **Option 4: Side with India**

The fourth option advanced here advocates that the United States explicitly side with India, acknowledging that in the long term India's current and future interests are more consonant with those of the United States than are Pakistan's. This option does recognize that if the past is any predictor of future behavior, Pakistan is likely to continue to fester as a source of internal and regional insecurity. The approach would seek to "contain" Pakistan (through both carrots and sticks) while expanding the strategic relationship that Washington is developing with India. While this option clearly suggests an "India first" policy, it does not necessarily imply an "India only" course of action.<sup>7</sup>

This may seem like a naturally evolving strategy given the long-term trajectories of India and Pakistan relative to the interests and objectives of the United States. This fourth option would permit the United States to further consolidate its ties with India unfettered by

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able at GlobalSecurity.org, [http://www.globalsecurity.org/military/world/war/indo-pak\\_1965.htm](http://www.globalsecurity.org/military/world/war/indo-pak_1965.htm), last accessed October 22, 2003).

<sup>7</sup> See Stephen Cohen, "Moving Forward in South Asia," *Brookings Policy Brief*, No. 81, May 2001.

<sup>8</sup> On the issue of China and Indo-U.S. strategic interests, see Juli A. Macdonald, *Indo-U.S. Military Relationship: Expectations and Perceptions*, Falls Church, Va.: Booz Allen Hamilton, 2002.

the problems associated with also trying to forge robust relations with Islamabad.

There are numerous and grave drawbacks to pursuing this approach. First, it is not obvious how India would respond to being declared *the* U.S. strategic partner in the region and beyond. India is not likely to welcome being drawn closer to the United States in ways that compel it to compromise its "strategic independence" and the other relationships that New Delhi seeks (e.g., with Iran, Iraq, Israel, China, etc.). India is particularly leery of being drawn into a security arrangement that explicitly targets China, even if it exploits this U.S. desire to further its own interests.<sup>8</sup> Second, under such an umbrella of support from the United States, New Delhi may pursue policies in Kashmir that have been proven to be problematic, heavy-handed, controversial, and corrosive.

Such a bold U.S.-India nexus also would exacerbate Pakistan's threat perceptions and would most certainly encourage Pakistan to form alliances (or at least attempt to do so) that are dissonant with U.S. regional preferences. Further, such an unbalanced relationship with India coupled with a perceived or actual disregard for Islamabad's regional concerns would certainly encourage Pakistan to support militant activities in Afghanistan, Kashmir, and India's hinterland. While military options appear to be attractive from a rhetorical perspective, Pakistan's nuclear assets pose a number of challenges that will likely frustrate any serious military effort to deter it from pursuing such misadventures.

A policy that neglects Pakistan or subsumes engagement of Pakistan to Indo-U.S. relations does not address the fact that Pakistan is a key state in counterterrorism in the region and beyond. This option, depending upon how it would be executed, may do little to rehabilitate Pakistan's economy, fortify its internal security apparatus, or encourage Pakistan to abandon its pursuit of proxy warfare. Further, it is difficult to imagine the feasibility of such an option in the policy-relevant future when the cooperation of Pakistan is required to ensure Afghanistan's stability and to permit the United States to continue apprehending al Qaeda and Taliban fugitives.

**Option 5: Side with Pakistan**

Alternatively, the United States could align itself with Pakistan's position on the Kashmir issue and other security concerns pertaining to India and Afghanistan. This would be a Pakistan-first option, not necessarily a Pakistan-only policy. It assumes that over time India and the United States as "natural allies" would evolve in the interests of both Washington and New Delhi. The principal aim of this policy option is to mitigate Pakistan's perception as a weak and insecure state that confronts a serious adversary to the east (India) and an unknown quantity to the west (e.g., Afghanistan).

This option requires dedicated attention to rehabilitate Pakistan and to endow it with the security required to discourage it from misadventures. It would include fortifying Pakistan's civilian institutions, rehabilitating its macroeconomic outlook, and investing in its stock of human capital. It would expand upon some of the initiatives that the United States is currently pursuing with Pakistan (police and forensics training, border security, airport security, education reform, electoral reform). Provision of security guarantees is also likely to be needed to alleviate Islamabad's multifaceted threat perception vis-à-vis its large neighbor to the east.

The benefits of such an option, in principle, would include enabling Pakistan to achieve some sense of security vis-à-vis India and Afghanistan. A secure Pakistan may be able to invest more into its human and social resources. However, it should be understood that state rebuilding of this nature is heroic and will require considerable wherewithal. This approach demands being realistic with Pakistan: There is no reason to reward it for doing the least possible in fulfillment of the obligations and expectations that will accrue from such a U.S. position. This option would make heavy use of carrots and sticks with credible threats of use. Although this option would surely be unsettling to both New Delhi and Islamabad in the short term, in the long term India, Pakistan, and the United States could reap significant benefits.

A stabilized Pakistan would permit normalization of a broad array of commercial and other relations with India, which would likely have a salutary impact upon regional economic issues. It could, for

example, pave the way for Indo-Pakistan-Iran natural gas pipelines that would provide Iran a much-needed market, give access to India the energy resources that it desperately needs, and endow Pakistan with a source of revenue. Furthermore, it could pave the way for industrial and energy cooperation between India and Pakistan as well as a movement of goods that can now occur only through the black market (particularly Indian films).

A number of potential negative consequences could emerge from such a policy. The gravity and severity of these outcomes could depend on the modalities of implementation. If the Pakistan army remains the principal focus of engagement, that institution may be encouraged to pursue the well-known misadventures that it has in the past (proxy war, instrumentalizing Islamic groups, dismantling civilian institutions). This could be avoided by engaging Pakistan—not a regime or a particular institution. Vigilant U.S. pressure upon Pakistan to take reform meaningfully could mitigate any of the risk-seeking actions that Pakistan could be expected to pursue. Second, unless the United States carefully monitors Pakistani utilization of resources provided by the United States and others for reform purposes, there is the risk that the intended benefits will not be seen. Strict measures or metrics of effectiveness must be adopted to measure the progress of reform efforts.

Pursuing this option will most certainly require careful dealing with India. New Delhi is unlikely to immediately understand why the United States, which claims to support democracy, would side with an autocratic regime dominated by the army instead of siding with the world's largest democracy. However, India demonstrated during Operation Enduring Freedom a capacity to understand and accommodate U.S. short-term and long-term interests. It is possible that New Delhi will appreciate that such a policy approach may not significantly compromise Indo-U.S. relations in the long term.

These five options represent "ideal types," and in isolation each is deeply objectionable and problematic in various ways. Yet, as the above discussion makes clear, each route offers particular ensembles of opportunities. In reality, the most practical approach will likely draw elements from several of these suggested proposals. Admittedly,



the suggestion of "resolving Kashmir" has inspired few policymakers to intervene in recent decades, and the ongoing tension over the problem has encouraged desensitization and even apathy.

In conclusion, it is useful to return to the main theme of this research: engagement with India and Pakistan on issues pertinent to counterterrorism. As this report has explicated, finding the necessary means of ending militancy in Kashmir is likely to be fundamental to overall U.S. counterterror objectives. The festering dispute will likely preclude all three states from realizing the fullest potential of these varied engagements. The current robust relations with both states suggest that there may be a window of opportunity for the United States to explore various options for dampening this recalcitrant epicenter of militant activity and an ominous nuclear flashpoint. Such a solution would have a salubrious effect on the other U.S. objectives for South Asia such as diminishing the prospects for an Indo-Pakistan conflict, nuclear proliferation, and nuclear non-use.

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